

LAFAYETTE COUNTY SCHOOL BOARD POLICY MANUAL

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APPENDIX A - INDEX

RECORD OF CHANGES TO BOARD RULES

NOTES - The following symbols are used with certain policies to indicate special information about the policy.

* (ASTERISK) DENOTES POLICIES WHICH ARE REQUIRED BY STATUTES OR OTHER REGULATIONS.

+ (PLUS) SIGN DENOTES THAT PLANS OR OTHER DOCUMENTS MUST BE DEVELOPED.

CHAPTER 1.00 - DISTRICT PHILOSOPHY

DISTRICT'S PHILOSOPHY

1.01

- I. The mission of Lafayette County Schools is to guarantee each student will excel through an education system characterized by compassion and integrity, an engaging curriculum, and application of innovative approaches.
- II. We believe that education is a process which begins at birth and continues throughout life. In a democratic society, this process is open-ended, with few restrictions placed on what can be taught or learned. It is imperative that each School District select those programs, techniques, and methods which it considers most important to ensuring the greatest possible development and growth of its students. These decisions must be based on student's need, interest, and backgrounds.

Since learning is a process of growth, development, and social interaction, and is complex and highly individual, the learning environment must be broad and diverse insuring appropriate opportunities for all students. Only through a commonsense of purpose shared by the community and the schools can the educations needs of students be fulfilled.

- III. We believe that
 - A. Each person has an unlimited capacity for learning.
 - B. All persons have a right to equal opportunity for success.
 - C. Each person has intrinsic values.
 - D. High expectations lead to greater achievement.
 - E. Every person has the right to be safe.
 - F. The family is the most important group to which any person belongs.
 - G. Everyone is responsible for his/her actions.
 - H. Honesty and integrity are essential to relationships.
 - I. Groups prosper best when the needs of their members are met.
 - J. Cultural diversity enriches our lives.
 - K. Public education is vital to the common good.

CHAPTER 1.00 - DISTRICT PHILOSOPHY

- L. Service to others is a morale imperative.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 1.00 - DISTRICT PHILOSOPHY

SCOPE OF THE SCHOOL DISTRICT

1.02*

- I. The School Board is the governing body of the District and is responsible for the control, operation, organization, management, and administration of public schools in the county pursuant to the provisions and minimum standards prescribed by Florida Statutes and State Board of Education rules.
- II. The District school system is part of the state system of public education and includes all public schools, classes, and courses of instruction and all services and activities directly related to education in the District which are under the District school officials' directions.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.30, 1001.31, 1001.32, 1001.33,
1001.41, 1001.43, F.S.

HISTORY:

ADOPTED: _____
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FORMERLY:

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

RESPONSIBILITIES AND AUTHORITY OF THE BOARD

2.01

- I. The School Board is responsible for the organization and control of the public schools of the District and is empowered to determine the policies necessary for the effective operation and the general improvement of the school system. The School Board is a public corporate entity and may take action only when the Board is meeting in official public session and a quorum is present. Individual members of the School Board have authority to take official action only when sitting as a member of the School Board in public session except when the School Board specifically authorizes the member to act. The School Board shall not be bound in any way by any action on the part of an individual board member or an employee except when such statement or action is in compliance with the public action of the School Board.
- II. The Board operates in accordance with state law and regulations and is responsible for organization, operation, supervision, and control of public schools.
- III. For the purpose of transacting business and exercising School Board powers, the Board meets regularly and in duly called special meetings. Regular Board meetings will be held in accordance with the schedule adopted by the Board at its annual organization meeting, unless otherwise provided by the Board. All regular and special meetings will be open to the public.
- IV. The Board, desiring to operate under the highest ethical standards and recognizing that the public interest and the respect of the people in their government must be of foremost concern, adopts the following code of ethics in addition to standards of conduct set forth in state law.

Board members shall

- A. Observe the regulations and policies of the school system and all laws, rules and regulations governing education;
- B. Act responsibly in all Board-related matters with proper decorum and respect for others;
- C. Recognize that the Board functions only as a Board through duly adopted policies and actions approved at public sessions; that individual Board members have no authority to act on behalf of the District or the Board;
- D. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- E. Carry out the duties of any elected or appointed position within the Board in a fair and impartial manner;
- F. Maintain confidentiality of privileged information;
- G. Respect the decisions of the Board;
- H. Seek to examine issues with objectivity, basing personal positions on the evidence and voting independently;
- I. Represent the entire community without fear or favor.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.31, 1001.363, 1001.372(1), 1001.395,
1001.41, 1001.43, 1003.02, F.S.**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
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CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

ORGANIZATION, MEMBERSHIP AND OFFICERS OF THE BOARD 2.02

- I. The Board shall be comprised of members elected to four-year terms and meeting such other requirements as stipulated by law.
- II. A chairperson and a vice-chairperson, and such other officers as the Board may determine, shall be elected annually by the School Board at its organizational meeting held on the third Tuesday after the first Monday in November; provided, however, if a vacancy occurs in the chairperson position the School Board shall elect a chairperson at the next regular or special meeting.
- III. The chairperson shall preside at all School Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the School Board. The vice-chairperson shall preside in the absence of the chairperson and shall perform such other duties of the chairperson as required by circumstances. The chairperson and vice-chairperson shall be bonded in the manner prescribed by the State Board of Education.
- IV. The Superintendent, as provided by law, shall be the secretary and executive officer of the School Board. At any organizational meeting, the Superintendent shall act as chairperson until the organization of the School Board is completed.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.371, 1001.41, 1001.43,
1001.48, 1001.51, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SPECIAL COMMITTEES OF THE SCHOOL BOARD

2.03

- I. Special committees may be appointed by the School Board chairperson when deemed necessary. The duties of any such committee shall be outlined at the time of appointment; the committee shall be automatically dissolved when the School Board accepts the committee's final report. Each School Board member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All meetings of School Board committees shall be open to the public.
- II. Special committees or individuals who serve on special committees shall take no action which is binding upon the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHOOL ADVISORY COUNCILS

2.04*+

The School Board authorizes the establishment of a school advisory council, *e.g.*, school improvement team in each District school to assist in the enhancement of school site decision making, to serve in an advisory capacity to the principal and to assist in the development of the educational program and in the preparation and evaluation of the school improvement plan required pursuant to Florida Statutes. The Superintendent shall develop guidelines pursuant to Florida Statutes to assist school advisory councils in order to ensure their active role in school site decision making. School advisory councils shall not assume any of the powers or duties now reserved by law for the School Board or its professional staff. Nothing contained in the District and/or local school accountability process shall be construed to lessen or otherwise alter the authority of the school principal as provided for in law, rules or regulations.

- I. Composition and Selection of Councils - Council members shall include the school principal and an appropriately balanced number of teachers, education support employees, students, parents, and business and community representatives.
 - A. Members shall be representative of the ethnic, racial, and economic community served by the council.
 - B. Student representation shall be required for school advisory councils established at vocational-technical centers and high schools and may be included for school advisory councils serving middle and junior high schools. Student representation shall not be required for school advisory councils serving elementary schools.
 - C. The term *education support employees* as used herein shall refer to any person who is employed by a school for twenty (20) or more hours during a normal working week and who does not meet the definition of instructional or administrative personnel pursuant to Florida Statutes.
 - D. The term *teacher* as used herein shall include classroom teachers, certified student services personnel, and media specialists.
 - E. A majority of members must be persons who are not employed at the School.
 - F. *Appropriately balanced* as used herein shall mean a proportionate number of council members considering each peer group being represented on the council, excluding the school principal. The size of the school advisory council and the ratio of representatives among the peer groups, excluding

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

the school principal, shall be set forth in the bylaws establishing procedures adopted by each school advisory council.

- II. Selection of Council Members - New council members shall be elected by their respective peer group, except for business and community representatives and the school principal.
 - A. The following council members shall be elected in a fair and equitable manner as determined by their respective peer group and as set forth in the bylaws of the school advisory council.
 - 1. A teacher(s) shall be elected by teachers;
 - 2. An education support employee(s) shall be elected by education support employees;
 - 3. A student(s), when appropriate, shall be elected by students.
 - 4. A parent(s) shall be elected by parents, as defined by Florida Statutes.
 - B. The school advisory council shall select business and community member(s) to serve on the school advisory council after reviewing the list of nominees prepared by the school principal.
 - 1. Business and community representatives shall be selected initially through a nomination and selection process facilitated by the school principal of each school advisory council.
 - a. The school principal shall seek candidates who are interested in making a commitment to participate on the school advisory council by representing businesses and the community.
 - b. Letters, newsletters, or other media releases shall be used by the school principal to seek candidates.
 - c. The school principal shall prepare a list of individuals seeking nomination to the school advisory council and shall present the list to the school advisory council for selecting the business and community representative(s).

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

2. Subsequent to the initial selection as described in section II.B.1. herein, the operational guidelines of the school advisory council shall set forth procedures for nominating business and community representatives to serve on the school advisory council.
 - C. The principal shall submit the list of council members to the Superintendent for review of each school to determine compliance with section I. herein. The membership list shall contain the name of each council member and the peer group which is being represented by each member and a description of how the council represents the ethnic, racial, and economic community served by the school.
 - III. Confirmation of the School Advisory Council - The Superintendent shall submit to the School Board for review and approval the membership list for each school advisory council in the District. The School Board shall determine if a school advisory council meets criteria specified in section I. herein; additional members shall be appointed by the School Board when it is required to achieve the proper representation on the school advisory council.
 - IV. Responsibilities of Councils - Each school advisory council shall
 - A. Review the results of any needs assessments conducted by the school administration.
 - B. Assist in the development of the school improvement plan and provide recommendations on specific components of the plan, such as the goals of the school, indicators of school and student progress, and strategies and evaluation procedures to measure student performance.
 - C. Define adequate progress for each school goal; obtain public input when defining adequate progress for school goals; negotiate the definition of adequate progress with the School Board; and notify and request assistance from the School Board when the school fails to make adequate progress in any single goal area.
 - D. Monitor students' and the school's progress in attaining goals and evaluate the appropriateness of the indicators of student progress and strategies and evaluation procedures which are selected to measure student performance.
 - E. Prepare and distribute information to the public to report the status of implementing the school improvement plan, the performance of students and educational programs, and progress in accomplishing the school goals.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- F. Make recommendations on the accumulation and reporting of data that is beneficial to parents.
- G. Serve as a resource for the principal and advise the principal in matters pertaining to the school program.
- H. Provide input on the school's annual budget and the use of school improvement funds and assist in the preparation of the school budget.
- I. Inquire about school matters, identify problems, propose solutions to problems, suggest changes, and inform the community about the school.
- J. Act as a liaison between the school and the community.
- K. Assist in the preparation of the feedback report to the Florida Commission on Education Reform and Accountability as required by and pursuant to Florida Statutes.
- L. Identify other duties and functions of the school advisory council.
- V. Operation of Council - Operational bylaws shall be established and mutually agreed upon by members of the school advisory council.
 - A. The bylaws shall contain procedures required by Florida Statutes and shall include but not be limited to:
 - 1. State the duties and functions of the council.
 - 2. Indicate the procedure for electing council members and the nomination process for selecting business and community representatives.
 - 3. Identify the procedure for electing officers, including a chairperson, vice-chairperson, and recording secretary, and determine the term of office for each position.
 - 4. Establish the membership term for each peer group.
 - 5. Specify the proportionate number of council members for each peer group for the purpose of achieving an appropriately balanced council.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- B. Regular meetings shall be held. The council shall determine the date, time, and place of the meetings.
- C. The agenda shall be advertised to the school community at least seven (7) days in advance of the scheduled meeting.
- D. Members of the advisory council shall be notified three (3) days in advance in writing of any matter that is scheduled to come before the council for a vote.
- E. All meetings shall be open, public, and subject to Florida Statutes.
- F. The school advisory council shall be subject to maintaining records pursuant to Article 1, Section 24, and Article XII, Section 20, of the Florida Constitution.
- G. School improvement plans which require waivers of the terms or conditions in negotiated agreement(s) shall be subject to the approval of the Board and Bargaining Agent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.43, 1001.452,
1008.345, 1012.01, F.S.**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD MEETINGS

2.05*

All official School Board meetings shall be open to the public and all informal meetings and conferences involving School Board members shall be conducted as public meetings unless specifically exempted by Florida Statutes. No official action may be taken by the School Board at any time other than an official meeting.

- I. Regular School Board meetings are generally held twice during each calendar month. The meeting time shall be established at the organizational meeting which is held on the third Tuesday after the first Monday in November. The regular meeting date may be changed by School Board action at any previous meeting, provided that each member is notified by letter or by distribution of the minutes showing a record of the change. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.
 - A. Special meetings shall be held at the time designated by the Superintendent, School Board chairperson, or when called by a majority of the School Board members as specified in written notice.
 - B. Emergency meetings may be held at any time by the Superintendent either upon his/her initiative or upon the School Board chairperson's request. An emergency meeting may be called as quickly as complying with notification procedures; School Board members shall be given a tentative agenda during the notification.
 1. The Superintendent shall prepare and distribute an agenda prior to the emergency meeting.
 2. The agenda, the need for the emergency meeting, and the results of the emergency meeting shall be available to the public within twenty-four (24) hours of said meeting.
 3. Emergency meetings shall be conducted in the same manner as prescribed for regular and special meetings.
- II. Regular, special, and emergency meetings of the School Board shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. As provided by Florida Statutes, any regular or special meeting may be held at any other appropriate public place within the District by giving prior public notice of at least forty-eight (48) hours. When such a meeting is scheduled or re-scheduled at a location other than the regular meeting place, the Superintendent shall take such action to give public notice as required by Florida Statutes.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- III. All School Board meetings shall be conducted in accordance with *Robert's Rules of Order*, except that no member shall be required to stand to make a motion.
- IV. Any item to be placed on the agenda of a regular School Board meeting shall be submitted, in writing, to the Superintendent's office no later than five o'clock (5:00 p.m.), eight (8) working days prior to the meeting at which consideration is desired. This rule shall not preclude the right of any citizen to address the School Board; however, except for good cause as provided herein, the School Board shall not take action on any substantive proposal until such matter has been formally placed on the School Board agenda. Copies of the agenda for regular meetings shall be made available at least seven (7) days prior to the scheduled meeting date to the public or other parties who have expressed a desire for such copy of the agenda. Copies of the agenda for a special meeting shall be prepared at least forty-eight (48) hours prior to such meeting.
 - A. All agenda items on which action is deferred shall be listed on the next agenda under Unfinished Business unless a time certain is specified.
 - B. The Superintendent shall either answer correspondence sent to the School Board or bring it to the School Board's attention at its next meeting by placing it on the agenda for information or School Board action.
- V. A majority shall constitute a quorum for any School Board meeting. No business shall be transacted unless a quorum is present. There is no meeting for a minority to adjourn. Unless a majority is present, no meeting can be convened.
- VI. The vote shall be unanimous if all members audibly vote "yes" or otherwise indicate an affirmative vote.

When a split vote occurs, the minutes shall show the vote of each member on the question. Each member who is present shall vote on each decision, ruling, or official act which is taken or adopted by the School Board, unless there is or appears to be a conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases the member may abstain, but shall file a memorandum pursuant to requirements of Section 112.3143, Florida Statutes.
- VII. The official minutes of the School Board shall be kept as prescribed by Florida Statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent during the time the office is open to any citizen desiring to examine the minutes.
 - A. Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the

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name of the person who seconds the motion; and, the vote or action thereon shall be recorded.

- B. Any School Board member or Superintendent who wishes any of his/her statements to be recorded may request during the meeting that such become a part of the official minutes.
 - C. Any other matter may be made part of the official minutes by direction of the chairperson or by a majority of the School Board.
 - D. Lengthy material such as, but not limited to, student assignments may be maintained in record books which are separate from, but supplemental to, the basic record of minutes.
- VIII. The public shall be informed that it is unlawful to knowingly disrupt or interfere with a School Board meeting and that any such action may result in a misdemeanor offense of the second degree. This includes individuals who advise, counsel, or instruct students or School Board employees on techniques for disrupting a School Board meeting.
- IX. Workshops may be scheduled by the School Board as deemed appropriate. No formal action may be taken by the School Board during such workshops.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

CHAPTER 112, 120.525, 120.53, 286.0105,
286.011, 286.0111, 286.012, 447.605,
877.13, 1001.32, 1001.37, 1001.372(1)(2)(3)(4),
1001.41, 1001.42, 1001.43, 1006.145, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOL BOARD RULES

2.06*

As used in these rules, the term *rule* and *policy* shall have the same definition.

These rules may be amended, repealed, or a new rule adopted as hereinafter prescribed. The term *rule* is defined in Florida Statutes; it does not include “curricula by an educational unit,” thereby, removing the development or prescription of curriculum by a School Board from the procedural requirements established for rule making.

- I. Unless an emergency exists, any proposal relating to a rule amendment, the repeal of any rule, or the adoption of a new rule shall be presented in writing to the School Board including a written explanation of the proposal.
 - A. The Superintendent shall give immediate and proper written notice to the public pursuant to the provisions of Florida Statutes, when the School Board has determined that it will give due consideration to the proposal for adoption, amendment, or repeal of a rule. The notice of a public hearing shall be advertised twenty-eight (28) days prior to the date of the hearing. The notice shall include a brief and concise explanation of the proposed rule’s purpose and effect, the estimate of economic impact to all individuals affected by the proposed rule or rule amendment, the specific legal authority for the School Board’s action, and the location where the text of the proposed change may be obtained.
 - B. Any person who is substantially affected by a proposed rule, rule amendment, or the repeal of a rule, may within twenty-one (21) days following notice of intent to adopt or repeal such rule, file a written request with the School Board seeking an administrative determination as to the validity of the proposed rule action.
 - C. The Superintendent shall file immediately in his/her office a copy of any new rule, rule amendment, or repeal of rule adopted by the School Board; policy handbooks shall be amended accordingly.
 - D. Such rules shall become effective upon adoption by the School Board unless a time certain date is specified therein.
- II. Any person substantially affected by an existing School Board rule may petition the Division of Administrative Hearings, Florida Department of Administration, to conduct a hearing on the rule validity pursuant to Florida Statutes. Any hearing examiner’s decision which is adverse to the School Board may, upon the School Board’s appeal, be judicially reviewed. Any hearing examiner’s decision which is adverse to the person substantially affected may, upon that person’s appeal, be judicially reviewed.

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- III. The School Board may determine that the public health, safety, or welfare is endangered and that immediate action is required to protect the public interest. When this occurs, the School Board, at any meeting in which a quorum is present, may adopt emergency rules, without complying with the waiting period as provided in section I. herein for public hearings and other similar requirements. The Superintendent shall properly record the effective date for any such emergency rule. Any emergency rule shall not be valid in excess of ninety (90) days from the adoption or effective date.
- IV. Any School Board employee, citizen, or agency may obtain information relating to the method for proposing a rule or may submit a rule proposal to the Superintendent's office.
- V. A copy of the compiled rules shall be available for inspection in the Superintendent's office, the principal's office, and in the library of any school.
- VI. Copies of the School Board rules shall be assigned to various positions within the District as determined by the Superintendent.
 - A. A copy of any rule change shall be made available by the Superintendent to each holder of the compilation who shall be responsible for entering all changes immediately upon receipt.
 - B. A copy of the School Board rules manual shall be available to all staff members either in hard copy or on the District's web site with a hard copy available in the principal's office or school library. The school principal shall maintain a hard copy compilation current.
 - C. The principal shall inform his/her staff members of the location of the School Board rules and any changes.
- VII. A School Board rule may be waived only to provide and implement overall goals and objectives of the School Board and to protect and preserve the health, safety, and welfare of the affected individual(s). Waiver of a School Board rule shall be addressed and a decision rendered regarding its waiver at a regular, special or emergency School Board meeting. A waiver of a School Board rule shall not render the policy void with respect to the continued implementation of the rule which is sought to be waived.
- VIII. Any citizen may appeal to the Board for a variation or waiver with regard to any policy. The appeal process shall be that a written request shall be made to the Superintendent who shall review the matter and present recommendations to resolve the problem at the next regular School Board meeting to which the item may be added as a part of the agenda. In cases where an appeal process has

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been developed for a specific policy, the appeal shall be made in accordance with that procedure.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

120.52 - .72, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHEDULE FOR LEGAL ADVERTISEMENTS

2.07

- I. The School Board shall inform the general public of certain actions through legal advertisements (e.g., Notices of Public Hearing, Invitation to Bid). Items of interest to the public shall also be advertised.
- II. Notification to all appropriate agencies and individuals to amend, adopt, or repeal a School Board rule shall be given twenty-eight (28) days prior to the date of intended School Board action.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

120.54, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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COLLECTIVE BARGAINING AGREEMENTS

2.08

Any provision of a collective bargaining agreement which is ratified by the School Board and affects collective bargaining members shall prevail over any School Board rule conflicting with the agreement. The School Board rule shall be deemed to be amended during the term of the agreement. If such agreement expires prior to ratification of a subsequent agreement, the provisions of the expired agreement shall be in effect until ratification of a subsequent agreement or approval by the legislative body by a Resolution of Impasse.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

447.309(3), 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY 2.09*+

The School Board shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Florida Statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform with the provisions of planning and budgeting as required by sections 1008.385, 1001.42, 1010.01, and 1011.01, Florida Statutes. *School* as used herein shall include each school-within-a-school, magnet school, self-contained educational alternative center, and satellite center.

The system shall include, but not be limited to, the following components:

I. School improvement plans which are adopted for each District school.

Each District school shall develop and present to the Superintendent, by the date set by the Superintendent, an individual school improvement plan for consideration by the School Board. The approved plan shall be implemented the next school year.

- A. The plan shall be designed to achieve the state education goals and student performance standards and shall be based on a needs assessment conducted pursuant to data collection requirements in Florida Statutes.
- B. The plan shall address school progress, goals, indicators of student progress, strategies, and evaluation procedures including adequate measures of individual student performance. Specific school safety and discipline strategies and other academic-related issues may be included.
- C. The plan for each District school shall be approved annually and shall be implemented as a new, amended, or continued school improvement plan.
- D. The plan shall be developed by School Board employees in each District school in conjunction with the school advisory council.
- E. Each school plan shall meet the requirements of Florida Statutes.

II. An approval process.

The District process for initial approval and subsequent annual approvals of school improvement plans shall provide for each school improvement plan to be reviewed and approved or disapproved by the School Board. The

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Superintendent shall refer any disapproved school improvement plans to the Florida Commission on Education Reform and Accountability.

- III. A two-year individualized assistance and intervention plan for schools that do not meet or make adequate progress, as defined in Florida Statutes and State Board of Education rules, in satisfying the goals and standards of their approved school improvement plan.
- IV. The District notification procedures to the Florida Commission on Education Reform and Accountability and the State Board of Education to identify any school that has completed a two-year individualized assistance and intervention plan without making adequate progress in satisfying the goals and standards of its approved school improvement plan.
- V. A communication program, to inform the public about student performance and educational programs in District and school reports.
- VI. Funds for schools to develop and implement school improvement plans.
- VII. A reporting procedure to provide the Florida Commission on Education Reform and Accountability with annual feedback on the progress of implementing and maintaining a system of school improvement and education accountability. Items specified in section 1001.42, Florida Statutes, shall be included in all feedback reports.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**24.121(5)(c), 1001.10, 1001.42,
1001.43, 1001.452, 1003.413, 1008.33,
1008.345, 1008.385, 1010.01, 1011.01, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:**

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FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT ACHIEVEMENT

2.091*+

- I. The School District and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The District will coordinate and integrate parental involvement strategies with school improvement, Title I, Title II, Title IV, Title VI, Community Involvement Programs, Business Partnerships, and other community involvement activities.
- II. The District will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs, based on the National Standards for Parent/Family Involvement Programs, which include:
 - A. Communication between home and school is regular, two-way and meaningful.
 - B. Responsible parenting is promoted and supported.
 - C. Parents play an integral role in assisting student learning.
 - D. Parents are welcome in school and their support and assistance are sought.
 - E. Parents are full partners in the decisions that affect children and families.
 - F. Community resources are utilized to strengthen school programs, family practices and student learning.
- III. The District will communicate parental choices and responsibilities to parents.
- IV. The District shall develop and distribute a parent guide to successful student achievement. The guide shall contain information that parents need to know about their child's educational progress and how parents can help their child's success in school.
- V. The District will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the District professional development plan.
- VI. The District, to the extent practicable, shall provide full opportunities for parents with disabilities, parents with limited English proficiency and parents of migratory children to participate in school and parental involvement activities and programs.

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- VII. The District will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy
- A. To determine the effectiveness in increasing parent participation;
 - B. To identify barriers to greater parent participation; and
 - C. To report the findings to the State Board of Education.
- VIII. The District will use the findings of the evaluations in designing strategies for school improvement and revising, if necessary, the parent involvement policies.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1002.23, 1001.42, 1001.51, 1001.54, 1002.20,
1003.33, 1006.07, 1008.25, 1012.98 F.S.
NO CHILD LEFT BEHIND ACT OF 2001, P.L. 107-110**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW**

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PROGRAM OF AWARDS

2.10*+

The Superintendent shall establish a program of awards for approval by the School Board.

- I. Individuals who are eligible for receiving an award shall include:
 - A. Employees with long and meritorious service or distinguished service in the performance of duty.
 - B. Students who have excelled in scholarship, athletics, music, subject matter areas, citizenship, attendance, and any other areas recommended by the Superintendent and approved by the School Board.
 - C. School volunteers or advisory council members who have contributed outstanding and meritorious service.
- II. The criteria for awards granted at individual schools shall be established by the principal and the instructional staff, and shall be submitted in writing to the Superintendent.
- III. The criteria for awards distributed at the District level shall be developed by the Superintendent with the assistance of representatives of the supervisory, administrative, instructional, and noninstructional staffs.
- IV. Nonmonetary awards may be in the form of a certificate, plaque, ribbon, photograph, medal, trophy, or any appropriate award.
- V. The amount of a monetary award shall be established by the School Board pursuant to Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PARTICIPATION IN ACTIVITIES

2.11

Each member of the Board is encouraged to participate in the activities and programs conducted by state, regional and national associations of the School Board. The Superintendent shall include an amount in each proposed annual budget to cover expenses to support the participation of the Board in activities and programs conducted by the state and other organizations as the Board chooses.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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LEGAL COUNSEL – BOARD

2.12

The School Board shall obtain an attorney, from outside its own membership, who shall act as legal advisor to the Board and the Superintendent. The Board shall provide a written contract for its attorney which shall specify duties and responsibilities for the duration of the contract with renewal and termination provisions and compensation to be paid. Special counsel may be retained to assist the Board attorney in any litigation or other matter when specifically approved by the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, 1012.26, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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LEGAL COUNSEL – SUPERINTENDENT

2.13

The Superintendent shall have the authority to obtain, at Board expense, an attorney to represent him/her in any legal matter regarding the performance of his/her duties.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.26, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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LEGAL SERVICES FOR EMPLOYEES

2.14

- I. The School Board shall provide legal services for any School Board member or employee who is charged in civil or criminal proceedings for any action arising out of or in the course of employment by the District.
- II. Legal services for School Board employees shall be provided only upon the Superintendent's determination that the employee was at the assigned place of duty and was not guilty of willful neglect of duty, gross negligence, or improper conduct.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.26, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOL BOARD ADOPTED PLANS

2.15+

The School Board has plans, manuals, handbooks and codes which outline procedures to be followed relative to stated topics. The plans, manuals, handbooks and codes listed below may be adopted by reference as part of these rules when required by other provisions contained in Board policy, Florida Statutes, or other controlling rules.

These include, but are not limited to,

Approved List of Fees for use of facilities, equipment, District services, and materials (9.04)

Collective Bargaining Agreements (2.08)

Dropout Prevention Program (4.04)

Employee Job Descriptions

Program of Awards (2.10)

Program of Studies (4.02)

School Improvement Plans (2.09*)

Student Code of Conduct (5.10)

Student Progression Plan (4.01)

Transportation Handbook (8.12)

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT

2.16

I. Policy Against Discrimination

A. No person shall, on the basis of race, color, religion, gender, age, marital status, sexual orientation, disability, political or religious beliefs, national or ethnic origin, or genetic information, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.

B. The School Board shall comply with all state and federal laws, which prohibit discrimination and are designed to protect the civil rights of applicants, employees, and/or students, or other persons protected by applicable law.

C. The School Board shall admit students to District Schools, programs, and classes without regard to race, color, religion, gender, age, national or ethnic origin, marital status, disability or handicap.

II. Policy Against Sexual Harassment or Other Forms of Harassment Prohibited by Law

A. The School Board desires to maintain an academic and work environment in which all employees, volunteers, and students are treated with respect and dignity. A vital element of this atmosphere is the Board's commitment to equal opportunities and the prohibition of discriminatory practices. The Board's prohibition against discriminatory practices includes prohibitions against sexual harassment, or any other form of harassment based upon a person's membership in a protected class and specifically prohibited by applicable state or federal law. The School Board forbids sexual harassment, or any other form of illegal harassment, of any employee, student, volunteer or visitor. The Board will not tolerate sexual harassment, or any other form of illegal harassment by any of its employees, students, volunteers or agents.

B. The prohibition against discrimination including sexual and other forms of illegal harassment shall also apply to nonemployee volunteers who work subject to the control of school authorities, and to all vendors or service providers who have access to School Board facilities.

III. Definition of Sexual Harassment

A. Prohibited sexual harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
2. Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact on the individual's academic performance or employment, unreasonably interfering with the individual's education or employment, or creating an intimidating, hostile, or offensive educational or employment environment.
4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding any term or condition of employment, employment or academic benefits, or services, honors, programs, or activities available at or through the school.

B. Types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to

1. Graphic verbal comments about an individual's body or appearance.
2. Sexual jokes, notes, stories, drawings, pictures or gestures.
3. Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.
4. Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.
5. Spreading sexual rumors.

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6. Touching an individual's body or clothes (including one's own) in a sexual way, including, but not limited to, grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, and fondling.

7. Cornering or blocking normal movements.

8. Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.

IV. Definition of Other Forms of Prohibited Harassment

A. Illegal harassment on the basis of any other characteristic protected by state or federal law is strictly prohibited. This includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability, marital status, sexual orientation, citizenship, or genetic information or any other characteristic protected by law and that

1. Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;

2. Has the purpose or effect of interfering with an individual's work or academic performance; or

3. Otherwise, adversely affects an individual's employment or academic performance.

B. Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:

1. Epithets, slurs or negative stereotyping;

2. Threatening, intimidating or hostile acts, such as stalking; or

3. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the school or District office premises or circulated in the workplace or academic environment.

V. Retaliation Prohibited

A. Any act of retaliation against an individual who files a complaint alleging a violation of the District's antidiscrimination policy and/or sexual or illegal

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harassment policy or who participates in the investigation of a discrimination complaint is prohibited.

B. Retaliation may include, but is not limited to, any form of intimidation, reprisal or harassment based upon participation in the investigation of, or filing a complaint of, discrimination.

VI. Procedures for Filing Complaint of Discrimination, Sexual Harassment, or Other Form of Illegal Harassment

A. Procedures for Filing Complaints

1. Any person who believes that he or she has been discriminated against, or placed in a hostile environment based on gender, marital status, sexual orientation, race, national origin, religion, age or disability by an employee, volunteer, agent or student of the School District should within sixty (60) days of alleged occurrence file a written or oral complaint. The complaint should set forth a description of the alleged discriminatory actions/harassment, the time frame in which the alleged discrimination occurred, the person or persons involved in the alleged discriminatory actions, and any witnesses or other evidence relevant to the allegations in the complaint.

2. The complaint should be filed with the School Principal, Site Administrator or supervisor. Complaints filed with the Principal, Site Administrator, or supervisor must be forwarded to the District's EEO Officer within five (5) days of the filing of the complaint. If the complaint is against the principal or site administrator, the complaint may be filed directly with the EEO officer.

3. If the complaint is against the District's EEO Officer, the Superintendent, or other member of the School Board, the complaint may be filed with the School Board Attorney.

B. Procedures for Processing Complaints

1. Complaints filed against persons other than the Superintendent or member of the School Board

- a. Upon receipt of the written complaint by the District EEO Officer, the District EEO Officer shall appoint an investigator to conduct an investigation of the allegations in the complaint. The investigator shall interview the complainant

and the accused; interview any witnesses identified by the complainant, accused, or by other sources; take statements from all witnesses; and review any relevant documents or other evidence. Upon completing a review of all evidence relevant to the complaint, the investigator shall prepare a written summary of the investigation, and make a recommendation to the District EEO Officer as to whether there is reasonable cause to believe a violation of the District's antidiscrimination policy has occurred. Copies of documents, evidence and witness statements which were considered in the investigation must be sent to the EEO officer along with the summary and recommendation.

b. If the complaint is against the EEO officer, the School Board Attorney shall appoint an investigator, who shall conduct an investigation in the manner set forth in section VI.B.1.a.

c. The investigation, summary, relevant documents, witnesses' statements and recommendation should be completed and forwarded to the EEO Officer within thirty (30) days, or to the School Board Attorney within thirty (30) days, if the complaint is against the EEO Officer. The EEO Officer, or School Board Attorney, respectively, shall review the investigation summary, evidence and recommendation, and determine within ten (10) days whether there is reasonable cause to believe a discriminatory practice occurred.

d. If the EEO Officer or School Board Attorney determines there is reasonable cause to believe a violation of the nondiscriminatory policy occurred, he or she shall within ten (10) days provide notice of the reasonable cause finding to the complainant and the accused. The EEO Officer or School Board Attorney shall then forward the investigatory file, reasonable cause determination, and all related documents and evidence, to the Superintendent.

e. If the EEO Officer or School Board Attorney determines, after a review of the investigation, summary, recommendation and other evidence, that there is no reasonable cause to believe a discriminatory practice occurred, he or she shall provide within ten (10) days notice of the finding of no reasonable cause to the complainant and accused.

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- f. The complainant may request a no reasonable cause finding by the EEO Officer or School Board Attorney be reviewed by the Superintendent within ten (10) days of receipt of this notice. The complainant shall provide a written statement detailing facts in support of his or her disagreement with the determination. The complainant will also be given an opportunity to meet with the Superintendent and EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney shall prepare a written memorandum summarizing the content of the conference to be included in the complaint file. The Superintendent shall within ten (10) days of receipt of the notice make a final determination as to whether there is reasonable cause to believe a discriminatory practice occurred.
- g. If review by the Superintendent is not timely requested, the EEO Officer or School Board Attorney's determination of no reasonable cause shall be final.
- h. The accused may request, within ten (10) days of receipt of a notice of a finding of reasonable cause, that the determination be reviewed by the Superintendent. The request must include a written statement expressing the accused's position on the complaint and findings, and address any facts, statements or evidence which he or she submits are inaccurate. The accused will be given an opportunity to meet with the Superintendent and the EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney must within ten (10) days of receipt of the notice prepare a memorandum summarizing the content of the meeting to be included in the complaint file.
- i. After providing the opportunity for an informal hearing as referenced in section VI.B.1.h., the Superintendent shall evaluate all the evidence, the investigation summary, recommendations and findings, along with any input by the accused and complainant, and make a final determination as to whether there is reasonable cause to support the complainant's allegations. He or she shall then determine any necessary disciplinary, remedial, or other action. Notice of the final disposition of the complaint and any disciplinary and/or remedial action shall within ten (10) days of the

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informal hearing be forwarded to the accused and the complainant, and a copy of the notice will be filed with and maintained in the office of the District EEO Officer and the Personnel Director.

2. Complaints against School Board Members or against the Superintendent

a. Complaints against School Board Members or the Superintendent shall be filed with the School Board Attorney. The School Board Attorney will within twenty (20) days appoint an outside, independent investigator to conduct an investigation and make a recommendation as to whether a discriminatory practice has occurred. It is recommended, but not mandatory, that the investigator be an attorney familiar with federal and state law prohibiting discrimination on the basis of a protected status.

b. The complainant and accused shall be interviewed by the outside investigator. Both shall provide written lists of witnesses to be interviewed, and documents or other evidence to be reviewed as relevant to the complaint. The investigator shall interview all witnesses identified by the complainant or accused, in addition to witnesses with relevant knowledge which the investigator may discover from other sources. The investigator shall also review relevant documents and other evidence. The investigator shall within twenty (20) days of receiving the complaint prepare a written summary of his or her investigation, and a recommendation to the School Board Attorney as to whether there is reasonable cause to believe that a discriminatory practice may have occurred.

c. If reasonable cause is recommended by the investigator against a School Board Member or an elected Superintendent, the recommendation shall within twenty (20) days be forwarded to the Governor's office to determine if there is evidence that a misfeasance or malfeasance of office occurred. The Governor's office will be responsible for taking any necessary action in accordance with applicable law with reference to an elected official. The School Board shall receive and make the final determination if the Superintendent is appointed by the Board.

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d. A finding of no reasonable cause by the outside investigator, which is reviewed and confirmed by the School Board Attorney shall be final. In compliance with Florida Statute, the investigation file shall become public record and the Superintendent or School Board Member shall answer to their constituency.

C. Penalties for Confirmed Discrimination or Harassment

1. Student - A substantiated allegation of discrimination or harassment against a student shall subject that student to disciplinary action consistent with the *Code of Student Conduct*.

2. Employee or Volunteer - A substantiated allegation of discrimination or harassment against an employee may result in disciplinary actions including termination and referral to appropriate law enforcement authorities. A volunteer shall be removed from service and a referral may be made to appropriate law enforcement authorities.

D. Limited Exemption from Public Records Act and Notification of Parents of Minors

1. To the extent possible, complaints will be treated as confidential and in accordance with Florida Statutes and the Family Educational Rights and Privacy Act (FERPA). Limited disclosure may be necessary to complete a thorough investigation as described above. The District's obligation to investigation and take corrective action may supersede an individual's right to privacy

2. The parents of a person under the age of 18 who has filed a complaint of discrimination and/or harassment shall be notified within three (3) days of receipt of a complaint.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

STATUTORY AUTHORITY: 120.54, 1001.41 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 112.41.119.07, 760.01, 1000.05, 1000.21, 1001.43, 1012.22, 1001.43, 1006.21, F.S. , 34 CFR 99, 34 CFR 200.43©, PL 110-233

STATE BOARD OF EDUCATION RULE(S): 6A-19.001

HISTORY: ADOPTED: _____ **REVISION DATE(S):** _____ **FORMERLY:** NEW

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT

2.16

I. Policy Against Discrimination

A. No person shall, on the basis of race, color, religion, gender, age, marital status, sexual orientation, disability, political or religious beliefs, national or ethnic origin, or genetic information, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.

B. The School Board shall comply with all state and federal laws, which prohibit discrimination and are designed to protect the civil rights of applicants, employees, and/or students, or other persons protected by applicable law.

C. The School Board shall admit students to District Schools, programs, and classes without regard to race, color, religion, gender, age, national or ethnic origin, marital status, disability or handicap.

II. Policy Against Sexual Harassment or Other Forms of Harassment Prohibited by Law

A. The School Board desires to maintain an academic and work environment in which all employees, volunteers, and students are treated with respect and dignity. A vital element of this atmosphere is the Board's commitment to equal opportunities and the prohibition of discriminatory practices. The Board's prohibition against discriminatory practices includes prohibitions against sexual harassment, or any other form of harassment based upon a person's membership in a protected class and specifically prohibited by applicable state or federal law. The School Board forbids sexual harassment, or any other form of illegal harassment, of any employee, student, volunteer or visitor. The Board will not tolerate sexual harassment, or any other form of illegal harassment by any of its employees, students, volunteers or agents.

B. The prohibition against discrimination including sexual and other forms of illegal harassment shall also apply to nonemployee volunteers who work subject to the control of school authorities, and to all vendors or service providers who have access to School Board facilities.

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III. Definition of Sexual Harassment

A. Prohibited sexual harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
2. Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact on the individual's academic performance or employment, unreasonably interfering with the individual's education or employment, or creating an intimidating, hostile, or offensive educational or employment environment.
4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding any term or condition of employment, employment or academic benefits, or services, honors, programs, or activities available at or through the school.

B. Types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to

1. Graphic verbal comments about an individual's body or appearance.
2. Sexual jokes, notes, stories, drawings, pictures or gestures.
3. Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.
4. Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.
5. Spreading sexual rumors.

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6. Touching an individual's body or clothes (including one's own) in a sexual way, including, but not limited to, grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, and fondling.

7. Cornering or blocking normal movements.

8. Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.

IV. Definition of Other Forms of Prohibited Harassment

A. Illegal harassment on the basis of any other characteristic protected by state or federal law is strictly prohibited. This includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability, marital status, sexual orientation, citizenship, or genetic information or any other characteristic protected by law and that

1. Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;

2. Has the purpose or effect of interfering with an individual's work or academic performance; or

3. Otherwise, adversely affects an individual's employment or academic performance.

B. Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:

1. Epithets, slurs or negative stereotyping;

2. Threatening, intimidating or hostile acts, such as stalking; or

3. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the school or District office premises or circulated in the workplace or academic environment.

V. Retaliation Prohibited

A. Any act of retaliation against an individual who files a complaint alleging a violation of the District's antidiscrimination policy and/or sexual or illegal

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harassment policy or who participates in the investigation of a discrimination complaint is prohibited.

B. Retaliation may include, but is not limited to, any form of intimidation, reprisal or harassment based upon participation in the investigation of, or filing a complaint of, discrimination.

VI. Procedures for Filing Complaint of Discrimination, Sexual Harassment, or Other Form of Illegal Harassment

A. Procedures for Filing Complaints

1. Any person who believes that he or she has been discriminated against, or placed in a hostile environment based on gender, marital status, sexual orientation, race, national origin, religion, age or disability by an employee, volunteer, agent or student of the School District should within sixty (60) days of alleged occurrence file a written or oral complaint. The complaint should set forth a description of the alleged discriminatory actions/harassment, the time frame in which the alleged discrimination occurred, the person or persons involved in the alleged discriminatory actions, and any witnesses or other evidence relevant to the allegations in the complaint.

2. The complaint should be filed with the School Principal, Site Administrator or supervisor. Complaints filed with the Principal, Site Administrator, or supervisor must be forwarded to the District's EEO Officer within five (5) days of the filing of the complaint. If the complaint is against the principal or site administrator, the complaint may be filed directly with the EEO officer.

3. If the complaint is against the District's EEO Officer, the Superintendent, or other member of the School Board, the complaint may be filed with the School Board Attorney.

B. Procedures for Processing Complaints

1. Complaints filed against persons other than the Superintendent or member of the School Board

- a. Upon receipt of the written complaint by the District EEO Officer, the District EEO Officer shall appoint an investigator to conduct an investigation of the allegations in the complaint. The investigator shall interview the complainant

and the accused; interview any witnesses identified by the complainant, accused, or by other sources; take statements from all witnesses; and review any relevant documents or other evidence. Upon completing a review of all evidence relevant to the complaint, the investigator shall prepare a written summary of the investigation, and make a recommendation to the District EEO Officer as to whether there is reasonable cause to believe a violation of the District's antidiscrimination policy has occurred. Copies of documents, evidence and witness statements which were considered in the investigation must be sent to the EEO officer along with the summary and recommendation.

b. If the complaint is against the EEO officer, the School Board Attorney shall appoint an investigator, who shall conduct an investigation in the manner set forth in section VI.B.1.a.

c. The investigation, summary, relevant documents, witnesses' statements and recommendation should be completed and forwarded to the EEO Officer within thirty (30) days, or to the School Board Attorney within thirty (30) days, if the complaint is against the EEO Officer. The EEO Officer, or School Board Attorney, respectively, shall review the investigation summary, evidence and recommendation, and determine within ten (10) days whether there is reasonable cause to believe a discriminatory practice occurred.

d. If the EEO Officer or School Board Attorney determines there is reasonable cause to believe a violation of the nondiscriminatory policy occurred, he or she shall within ten (10) days provide notice of the reasonable cause finding to the complainant and the accused. The EEO Officer or School Board Attorney shall then forward the investigatory file, reasonable cause determination, and all related documents and evidence, to the Superintendent.

e. If the EEO Officer or School Board Attorney determines, after a review of the investigation, summary, recommendation and other evidence, that there is no reasonable cause to believe a discriminatory practice occurred, he or she shall provide within ten (10) days notice of the finding of no reasonable cause to the complainant and accused.

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- f. The complainant may request a no reasonable cause finding by the EEO Officer or School Board Attorney be reviewed by the Superintendent within ten (10) days of receipt of this notice. The complainant shall provide a written statement detailing facts in support of his or her disagreement with the determination. The complainant will also be given an opportunity to meet with the Superintendent and EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney shall prepare a written memorandum summarizing the content of the conference to be included in the complaint file. The Superintendent shall within ten (10) days of receipt of the notice make a final determination as to whether there is reasonable cause to believe a discriminatory practice occurred.
- g. If review by the Superintendent is not timely requested, the EEO Officer or School Board Attorney's determination of no reasonable cause shall be final.
- h. The accused may request, within ten (10) days of receipt of a notice of a finding of reasonable cause, that the determination be reviewed by the Superintendent. The request must include a written statement expressing the accused's position on the complaint and findings, and address any facts, statements or evidence which he or she submits are inaccurate. The accused will be given an opportunity to meet with the Superintendent and the EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney must within ten (10) days of receipt of the notice prepare a memorandum summarizing the content of the meeting to be included in the complaint file.
- i. After providing the opportunity for an informal hearing as referenced in section VI.B.1.h., the Superintendent shall evaluate all the evidence, the investigation summary, recommendations and findings, along with any input by the accused and complainant, and make a final determination as to whether there is reasonable cause to support the complainant's allegations. He or she shall then determine any necessary disciplinary, remedial, or other action. Notice of the final disposition of the complaint and any disciplinary and/or remedial action shall within ten (10) days of the

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informal hearing be forwarded to the accused and the complainant, and a copy of the notice will be filed with and maintained in the office of the District EEO Officer and the Personnel Director.

2. Complaints against School Board Members or against the Superintendent

a. Complaints against School Board Members or the Superintendent shall be filed with the School Board Attorney. The School Board Attorney will within twenty (20) days appoint an outside, independent investigator to conduct an investigation and make a recommendation as to whether a discriminatory practice has occurred. It is recommended, but not mandatory, that the investigator be an attorney familiar with federal and state law prohibiting discrimination on the basis of a protected status.

b. The complainant and accused shall be interviewed by the outside investigator. Both shall provide written lists of witnesses to be interviewed, and documents or other evidence to be reviewed as relevant to the complaint. The investigator shall interview all witnesses identified by the complainant or accused, in addition to witnesses with relevant knowledge which the investigator may discover from other sources. The investigator shall also review relevant documents and other evidence. The investigator shall within twenty (20) days of receiving the complaint prepare a written summary of his or her investigation, and a recommendation to the School Board Attorney as to whether there is reasonable cause to believe that a discriminatory practice may have occurred.

c. If reasonable cause is recommended by the investigator against a School Board Member or an elected Superintendent, the recommendation shall within twenty (20) days be forwarded to the Governor's office to determine if there is evidence that a misfeasance or malfeasance of office occurred. The Governor's office will be responsible for taking any necessary action in accordance with applicable law with reference to an elected official. The School Board shall receive and make the final determination if the Superintendent is appointed by the Board.

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d. A finding of no reasonable cause by the outside investigator, which is reviewed and confirmed by the School Board Attorney shall be final. In compliance with Florida Statute, the investigation file shall become public record and the Superintendent or School Board Member shall answer to their constituency.

C. Penalties for Confirmed Discrimination or Harassment

1. Student - A substantiated allegation of discrimination or harassment against a student shall subject that student to disciplinary action consistent with the *Code of Student Conduct*.

2. Employee or Volunteer - A substantiated allegation of discrimination or harassment against an employee may result in disciplinary actions including termination and referral to appropriate law enforcement authorities. A volunteer shall be removed from service and a referral may be made to appropriate law enforcement authorities.

D. Limited Exemption from Public Records Act and Notification of Parents of Minors

1. To the extent possible, complaints will be treated as confidential and in accordance with Florida Statutes and the Family Educational Rights and Privacy Act (FERPA). Limited disclosure may be necessary to complete a thorough investigation as described above. The District's obligation to investigation and take corrective action may supersede an individual's right to privacy

2. The parents of a person under the age of 18 who has filed a complaint of discrimination and/or harassment shall be notified within three (3) days of receipt of a complaint.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

STATUTORY AUTHORITY: 120.54, 1001.41 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 112.41.119.07, 760.01, 1000.05, 1000.21, 1001.43, 1012.22, 1001.43, 1006.21, F.S. , 34 CFR 99, 34 CFR 200.43©, PL 110-233

STATE BOARD OF EDUCATION RULE(S): 6A-19.001

HISTORY: ADOPTED: _____ **REVISION DATE(S):** _____ **FORMERLY:** NEW

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

REPORTING CHILD ABUSE

2.17

I. Definitions of Child Abuse, Abandonment or Neglect

- A. *Abuse* means any willful or threatened act that results in any physical, mental or sexual injury or harm that causes, or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
- B. *Abandonment* means a situation in which the parent or legal custodian of a child, or in absence of the parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations.
- C. *Neglect* occurs when a child is deprived of or is allowed to be deprived of, necessary food, clothing, shelter or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability, unless actual services for relief have been offered and rejected. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian.

II. Prohibition Against Child Abuse, Abandonment or Neglect

The School Board strongly prohibits any action or omission constituting child abuse, neglect, or abandonment by any of its employees, agents, volunteers, or by other persons affiliated in any way with the School District. Further, all employees, agents, and volunteers of the School District must comply with Florida law requiring reporting of child abuse, neglect, or abandonment.

III. Notification of Responsibility

A notice providing the following information shall be posted in a prominent place in each school:

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- A. All employees of the District have the responsibility to report all actual and suspected cases of child abuse, abandonment or neglect; immunity from liability if they report such cases in good faith; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect.
 - B. Statewide toll-free telephone number for the central abuse hotline.
- IV. Requirements for Reporting Child Abuse, Abandonment or Neglect
- A. Florida Statute requires that any person including, but not limited to, any
 - 1. Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care or treatment of persons;
 - 2. Health or mental health professional other than one listed in 1.;
 - 3. Practitioner who relies solely on spiritual means for healing;
 - 4. School teacher or other school official or personnel;
 - 5. Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or
 - 6. Law enforcement officer or judgewho knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.
 - B. Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them know the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.
 - C. Reporters in the categories specified in A. above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's name, with respect to the Department's records, is governed by Florida Statute.

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- D. In accordance with state law, the Department of Children and Family Services, in conjunction with applicable law enforcement agencies, are responsible for investigating allegations of child abuse, abandonment, or neglect.
- E. Complaint Against School District Employee, Volunteer or Agent - If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by statute. The person accused of child abuse, abandonment or neglect shall be suspended from duties involving interaction with children pending investigation of the allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed by, the Department of Children and Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.
- F. When a report of child abuse, neglect or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer or agent should not take it upon himself/herself to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.
- G. Florida Statute provides that a person required by state law to report child abuse, abandonment, or neglect, but who willingly and knowingly fails to do so, or prevents another from doing so, is guilty of a first degree misdemeanor. Likewise, knowingly and willingly filing a false report of child abuse, neglect, or abandonment or advising another to do so constitutes a third degree misdemeanor.

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- H. Child Abuse Prevention Training for School District employees, staff, volunteers shall be provided in compliance with and as specified in Florida Statute.

STATUTORY AUTHORITY: 120.54, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 39.0015, 39.01, 39.201, 39.202, 39.203, 39.205, 39.206, 1001.43, 1006.061, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 2.00: SCHOOL BOARD GOVERNANCE AND ORGANIZATION

WELLNESS PROGRAM

2.20*+

- I. Philosophy - The Lafayette County School Board believes that children and youth who begin each day as healthy individuals can learn more and learn better and are more likely to complete their formal education. The Board also believes that healthy staff can more effectively perform their assigned duties and model appropriate wellness behaviors for students. This policy encourages a holistic approach to staff and student wellness that is sensitive to individual and community needs.
- II. Nutrition - Academic performance and quality of life issues are affected by the choice and availability of good foods in our schools. Healthy foods support student physical growth, brain development, resistance to disease, emotional stability and ability to learn.
 - A. Nutrition guidelines that require the use of products that are high in fiber, low in added fats, sugar and sodium, and served in appropriate portion sizes consistent with USDA standards shall be established for all foods offered by the district's Nutrition Services Department or contracted vendors. Menu and product selection shall utilize student, parent, staff and community advisory groups whenever possible.
 - B. Nutrition services policies and guidelines for reimbursable meals shall not be more restrictive than federal and state regulations require.
 - C. A la carte offerings to students shall be nutritious and meet federal recommended guidelines and shall be selected with input from students, parents and staff.
 - D. Vending Machines
 1. All snack vending machines shall provide only single serving snacks that meet at least two, with at least 50% of the items meeting three of the following: 300 or fewer calories; six grams of fat or less, one or more grams of fiber, at least 10% of RDA of calcium, iron, vitamin A or vitamin C.
 2. Vending machines where student meals are served or eaten shall not include carbonated beverages.
 3. All beverage vending machines in secondary school public areas and all faculty/staff areas at school and district sites shall include:

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- a. water
 - b. 100% fruit juice
 - c. non-carbonated drinks with less than 150 calories per container
 - d. no more than 1/3rd of the choices will be carbonated drinks
 - 4. The beverage vending machines may also include:
 - a. non-fat, low-fat, plain or flavored milk or yogurt in 16 ounces or less servings
 - b. other non-carbonated drinks
 - E. Nutrition services shall support classroom activities for all elementary students that include hands-on applications of good nutrition practices to promote health and reduce obesity.
- III. Health Education and Life Skills - Healthy living skills shall be taught as part of the regular instructional program and provides the opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention.
- A. Each school shall provide for an interdisciplinary, sequential skill-based health education program based upon state standards and benchmarks.
 - B. Students shall have access to valid and useful health information and health promotion products and services.
 - C. Students shall have the opportunity to practice behaviors that enhance health and/or reduce health risks during the school day and as part of before or after school programs.
 - D. Students shall be taught communication, goal setting and decision making skills that enhance personal, family and community health.
- IV. Physical Education and Activity - Physical education shall be taught by a certified specialist. Physical activity shall be provided by a qualified staff member. Physical education and physical activity shall be an essential element of each school's instructional program. The program shall provide the opportunity for all students to develop the skills, knowledge and attitudes necessary to participate in a lifetime of healthful physical activity.

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- A. Physical Education Program - The physical education program shall be designed to stress physical fitness and encourage healthy, active lifestyles. The physical education program shall consist of physical activities of at least moderate intensity and for a duration that is sufficient to provide a significant health benefit to students, subject to the differing abilities of students.
 - 1. Participation in such physical activity shall be required for all students in kindergarten through grade five for a minimum of thirty minutes, three days a week, or the equivalent.
 - 2. Such instruction may be provided for grades 6-8 through formal physical education courses, integration into other courses, regularly scheduled intramural activities, and/or regularly scheduled school-wide activities.
 - 3. High schools shall require one (1) credit for graduation, to include one semester of Personal Fitness (.5 credit) and one semester of an approved Physical Education course (.5 credit).
 - 4. Students electing one of the three-year, 18 credit graduation options do not have to meet the high school requirement, and may use the physical education courses listed as elective credit. Students may waive a portion or all of these requirements only to the extent permitted by state law.
 - B. Students shall be supported in setting and meeting personal fitness goals that result in the achievement and maintenance of a health enhancing level of physical fitness.
 - C. Students shall be provided varied opportunities for enjoyment, challenge, self-expression and social interaction that will lead to a physically active lifestyle.
- V. Healthy and Safe Environment - A healthy and safe environment for all, before, during and after school supports academic success. Safer communities promote healthier students. Healthier students do better in school and make greater contributions to their community.
- A. School buildings and grounds, structures, buses and equipment shall meet all current health and safety standards, including environmental air quality, and be kept inviting, clean, safe and in good repair.

CHAPTER 2.00: SCHOOL BOARD GOVERNANCE AND ORGANIZATION

- B. Schools and district offices shall maintain an environment that is free of tobacco, alcohol and other drugs.
 - C. Safety procedures and appropriate training for students and staff shall support personal safety and a violence and harassment free environment.
 - D. Each work site, school and classroom shall work to create an environment where students, parents/guardians and staff are respected, valued and accepted with high expectations for personal behavior and accomplishments.
- VI. Social and Emotional Well-Being - Programs and services that support and value the social and emotional well being of students, families and staff build a healthy school environment.
- A. Each school shall provide a supportive environment that includes guidance, counseling, and school social work services that encourages students, families and staff to request assistance when needed and links them to school or community resources.
 - B. Students shall be provided the skills to express thoughts and feelings in a responsible manner and give and receive support from others.
 - C. Students shall be taught to understand and respect the differences in others and how to build positive interpersonal relations.
 - D. Students and staff shall be encouraged to balance work and recreation and helped to become aware of stressors which may interfere with health development.
- VII. Health Services - An effective health care delivery system that promotes academic achievement by providing a broad scope of services from qualified health care providers will improve the mental and physical health of students and staff.
- A. Primary coordination of health services shall be through a trained school health care practitioner with the support and direction of the Lafayette County School District and the Lafayette County Health Department.
 - B. Lafayette County School District shall collaborate with community health liaisons and resources to promote health and wellness for students, families, staff and community.

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- C. A coordinated program of accessible health services shall be provided to students and staff and shall include violence prevention, school safety, communicable disease prevention, health screening, including Body Mass Index (BMI), community health referrals, and immunizations, parenting skills, first aid and other priority health education topics.
- VIII. Family, School and Community Partnership - Long term effective partnerships improve the planning and implementation of health promotion projects and events within each school and throughout the community.
- A. Family, student and community partners shall be included on an ongoing basis in school and district wellness planning processes.
 - B. The equality and diversity of the school and district community shall be valued in planning and implementing wellness activities.
 - C. Community partnerships shall be developed and maintained as a resource for school and district programs, projects, activities and events.
 - D. Schools and the district shall actively develop and support the engagement of students, families and staff in community health enhancing activities and events at the school or throughout the community.
- IX. Staff Wellness - The district and each work site shall provide information about wellness resources and services and establish a staff committee to assist in identifying and supporting the health, safety and well being of site staff.
- A. Each school and district site shall be in compliance with drug, alcohol and tobacco free policies.
 - B. Each school and district site shall provide an accessible and productive work environment free from physical dangers or emotional threat that is as safe as possible and consistent with applicable occupation and health laws, policies and rules.
 - C. Employees shall be encouraged to engage in daily physical activity during the workday as part of work breaks and/or lunch periods, before or after work hours in site sponsored programs or as part of discounted membership in local fitness facilities.

CHAPTER 2.00: SCHOOL BOARD GOVERNANCE AND ORGANIZATION

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: P.L. 108-265, SECTION 204
RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT (42 USC 1751 *et seq.*)
CHILD NUTRITION ACT OF 1966 (42 USC 1771 *et seq.*)
1001.43, 1003.42, 1003.453, 1003.455,
1003.46, 1006.06, 1006.0606, F.S.

STATE BOARD OF EDUCATION RULE(S) 6A-7.040, 6A-7.041, 6A-7.0411

HISTORY: ADOPTED: _____
REVISION DATES: _____
FORMERLY: NEW

CHAPTER 3.00 - SCHOOL ADMINISTRATION

RESPONSIBILITIES OF SUPERINTENDENT

3.01

- I. The Superintendent shall be responsible for the administration of the entire school system as provided by law, state board of education regulations and rules and policies of the School Board. The Superintendent shall keep the School Board informed regarding all phases of the District school system.
- II. The Superintendent serves as secretary to the School Board and executive officer of the District. He/she shall keep such minutes and records as may be necessary to set forth clearly all actions and proceedings of the School Board. When possible, any matter coming before the School Board shall first be presented to the Superintendent to be included on the agenda. The Superintendent shall inform the employees of the School Board and the schools and departments of any Board action relating to them.
- III. All members of the instructional and noninstructional staff shall be under the general supervision of and subject to the direction of the Superintendent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.32, 1001.33, 1001.42, 1001.43, 1001.464,
1001.48, 1001.49, 1001.51, 1006.08, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 3.00 - SCHOOL ADMINISTRATION

PERFORMANCE GRADE SCHOOLS

3.011*+

The Superintendent shall establish procedures which shall be approved by the Board to give greater autonomy, including authority over the allocation of the schools' budget, to schools designated as performance grade category "A", making excellent progress and schools rated as having improved at least two (2) performance grade categories as required by Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1008.34, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 3.00 - SCHOOL ADMINISTRATION

RESPONSIBILITIES OF PRINCIPALS

3.02

The principal is assigned direct and primary responsibility for his/her school and serves as the administrative and supervisory head of the school. Each principal is responsible for the enforcing of Florida Statutes, State Board of Education rules, School Board rules and directives of the Superintendent. Each principal shall carry out all duties as reflected in the Board-adopted job description.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.32, 1001.43, 1001.54, 1003.31,
1006.09, 1006.28, 1012.28, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 3.00 - SCHOOL ADMINISTRATION

EMERGENCIES

3.03

- I. In case of an emergency involving the welfare and safety of students and employees, the Superintendent may suspend any part of these regulations; provided, that he/she shall report the fact of and the reason for suspension at the next meeting of the School Board; and provided further, that the suspension shall expire at the time of such report unless continued in effect by actions of the School Board.
- II. In case of an emergency, the Superintendent may close any school or all schools. The members of the School Board shall be informed immediately of any event or condition which requires the closing of a school or the schools of the District, and, where the public interest requires Board action, the Superintendent shall call a special meeting of the Board.
- III. In any case or condition not covered by these regulations, the Superintendent shall base the decision on his/her best judgment.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.33, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 3.00 - SCHOOL ADMINISTRATION

DIRECTIVES, PROCEDURES AND ADMINISTRATIVE MANUALS	3.04
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The Superintendent shall have authority to issue such directives and to prescribe such procedures as may be necessary to carry out the purposes of School Board rules and the provisions of Florida Statutes and State Board of Education rules. The Superintendent may issue such administrative manuals or booklets of instruction as he/she may deem necessary for the effective administration of the District school system and distribute them to the employees directly concerned. Insofar as the provisions of such manuals and directives are consistent with these School Board rules, Florida Statutes, or State Board of Education rules, the provisions thereof shall be binding upon all employees.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1001.51, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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ADMINISTRATIVE ORGANIZATION

3.05*

The Lafayette District's Administrative Organizational Chart is on the next page.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

120.53, 1001.42, 1001.43, 1012.27, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOLS-WITHIN-A-SCHOOL

3.051

Each school that does not meet the definition of a small school as defined by Florida Statutes shall subdivide into Schools-within-a-School as required by Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1003.02(4), F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SAFE AND SECURE SCHOOLS

3.06+

I. Introduction

The Lafayette County District School Board has as its first obligation to provide a safe, secure and orderly learning environment in all schools and at all sponsored activities for students, school personnel, and other persons.

II. Orderly Environment

An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and attending School Board or school sponsored events or activities. All procedures shall reflect the following policy provisions:

- A. No person other than a student and employee of a school site shall be on a school campus during school hours unless they are in compliance with Policy 9.07 (Visitors).
- B. A student who is suspended or expelled is not in good standing and is not permitted on the school campus, school grounds, or at a school sponsored activity.
- C. Any person on a school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a log of such incidents which shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify the principal or appropriate local law enforcement officials without further warning.
- D. Individuals who enter School Board property, activity, or School Board meeting without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the board chairperson, Superintendent/designee, principal or person in charge are subject to criminal penalty as provided in Florida Statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified of any such action at schools or school activities.

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- E. No person except law enforcement and security officers may have in his/her possession any weapon, illegal substance, or dangerous substance while on school property or at school events.

III. Safety – Emergency Plans

- A. The Superintendent shall develop and present to the Board for review and approval appropriate school emergency management and preparedness plans.
- B. The Superintendent shall establish uniform guidelines for the development of schools' emergency management and preparedness plans.
- C. Each school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the provisions of Florida law, State Board of Education rules, and other applicable regulations.
- D. Copies of school plans shall be provided to county and city law enforcement agencies, fire departments, and emergency preparedness officials.

IV. Safety – Procedures

- A. School alarms shall be monitored on a weekly basis and malfunctions shall be reported for immediate repair.
- B. A safety program shall be established consistent with the provisions of Policy 8.01.
- C. Emergency evacuation drills (fire, hurricane, tornado, other disaster, and school bus) shall be held in compliance with state requirements. Each principal, site administrator or transportation official is responsible for
 - 1. Developing and posting emergency evacuation routes and procedures;
 - 2. Assigning and training staff members in specified responsibilities to ensure prompt, safe and orderly evacuation;
 - 3. Identifying and reporting hazardous areas requiring corrective measures; and
 - 4. Preparing and submitting a written report of each emergency evacuation drill to the District office.

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- D. In the event of an emergency, the Superintendent is authorized to dismiss early or close any or all schools. Except that the principal may dismiss the school when the Superintendent or designee cannot be contacted and an extreme emergency exists endangering the health, safety, or welfare of students. Any such actions shall be reported immediately to the Superintendent or designee along with a statement describing the reasons for the action. Such report shall be submitted to the School Board at the next regular meeting unless a special meeting is held relating to the emergency.

V. Safety – Violence Prevention

- A. The Superintendent shall develop a violence prevention plan for use by each school.
- B. Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to personnel of the schools.

VI. Security

- A. The Superintendent shall establish and implement a Domestic Security Plan consistent with the requirements of the National Incident Management System (NIMS).
- B. The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions.
- C. A review of each school's security provisions shall be conducted annually by the principal with a written report submitted to the Superintendent or designee for submission to the Board for review.
- D. Each school's emergency plan shall include security provisions including emergency lockdown procedures.
- E. Security trailers may be located on school property.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 316.614, 1001.43, 1001.51, 1006.062, 1006.07,
1006.145, 1006.21, 1013.13, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0403, 6A-3.0171

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:

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DOMESTIC SECURITY

3.061+

- I. The Superintendent shall establish a District domestic security plan that is consistent with the requirements of National Incident Management System (NIMS). The District plan shall include a plan for each school and facility operated by the School Board. The Superintendent shall ensure that the plan is consistent with NIMS requirements.
- II. The domestic security plan shall include the following components:
 - A. Access Control

The District shall control access to and enhance the security of school campuses, District facilities, and transportation by implementing access control procedures and practices.
 - B. Emergency Equipment

The District shall ensure that emergency equipment and supplies are available and operable and that communication between school/District personnel and first responders is readily available.
 - C. Training

Initial and follow up training shall be provided for school/District personnel, students, and state and local partners. New employees shall receive training relevant to the position. When an employee is reclassified to a different position; his/her training record shall be reviewed and appropriate training shall be provided.
 - D. Communication and Notification Procedures

The District shall ensure that external and internal communication and notification procedures are developed and implemented.
 - E. Coordination with Partners

The District shall ensure coordination with state and local partners by establishing and maintaining a close working relationship with local law enforcement agencies, first responders and the county emergency operations center and participating on the Regional Domestic Security Task Force (RDSTF).

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F. Vulnerability Assessment

The District shall establish standards for assessment and shall assess vulnerability of all District schools and facilities.

- III. The District plan including all school and facility plans shall be reviewed annually or more frequently if needed. Modifications shall be made and communicated to relevant school/District personal and emergency management officials. Conditions which may warrant interim review and possible modification of the plan include addition to or renovation of a facility, change in the use of a facility, change of grades served by a school, new programs added to the school and change in security threat level.
- IV. The Superintendent shall request documentation of compliance with the National Incident Management System (NIMS) standards from the county emergency management agency and shall obtain certification of compliance from the Commissioner of Education.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1001.51, 1001.54, 1006.07,
1006.08, 1006.09, 1006.21, 1013.13, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-1.0403, 6A-3.0171

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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COPYING OF PUBLIC RECORDS

3.07

- I. Copies of public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records not exceeding 8 ½" x 14" in size shall be fifteen (15) cents for each one-sided copy or twenty (20) cents for each two-sided copy, unless a different fee is otherwise prescribed by Florida Statutes. A one dollar (\$1.00) fee shall be assessed for a certified copy of a public record. Copies shall be made by the appropriate staff members at a time which does not interfere with their normal work duty.
- II. Charges for copies of audio, video, and other materials shall be at rates established by the Superintendent/designee.
- III. The Board authorizes the Superintendent to establish uniform charges for documents not covered in I. above.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

119.07, 1001.43, 1001.52, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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COPYRIGHTED MATERIALS

3.08+

The District shall abide by all provisions of the copyright laws including as they apply to software and media.

- I. Commercial materials, whether printed or nonprinted, may not be duplicated without prior written permission from the owner or copyright holder.
- II. The School Board does not sanction or condone illegal duplication in any form, the use of illegally duplicated materials, or the improper use of commercially duplicated materials.
- III. Procedures and guidelines for the legal duplication of materials for instructional purposes may be obtained from the school or District office.
- IV. Employees who willfully infringe upon current copyright laws may be subject to disciplinary action by the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

119.07, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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A MOMENT OF SILENCE

3.09

A moment of silence, not to exceed two (2) minutes, shall be provided for students at the beginning of each school day.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.45, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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FLAG DISPLAY AND PLEDGE

3.10

- I. The pledge of allegiance to the flag shall be recited at the beginning of each school day in elementary, middle, and secondary schools.
- II. A student may be excused from instruction and/or reciting the pledge of allegiance when his/her parent(s), as defined by Florida Statutes, files a written request with the school principal.
- III. The United States flag and the official flag of Florida shall be displayed daily on a suitable flag staff on the grounds of each school and School Board facility when the weather permits.
- IV. Each classroom and auditorium shall display the United States flag.
- V. All flags shall meet the requirements of Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.06, 1000.21, 1001.43,
1002.20, 1003.42, 1003.44, F.S.**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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AGENTS, SOLICITORS AND SALESPERSONS

3.11

Because there are legitimate and necessary calls from business and professional representatives who provide supplies and services regularly used in the schools; agents, salespersons and delivery persons may visit schools at the discretion of the principal. All such persons shall sign in at the school's main office upon arrival.

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on school premises during school hours except as otherwise approved in writing by the Superintendent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1013.43(2), F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PUBLIC INFORMATION AND INSPECTION OF RECORDS

3.12

All public records pursuant to Florida Statutes shall be available for inspection or copying at reasonable times during normal office hours of the District office or other offices in which records are maintained.

- I. Photocopying or other reproduction of any record shall be performed upon a person's request. Charges for photocopying or reproducing shall be in accordance with the School Board Rule 3.07, Copying of Public Records.
- II. Records maintained by the District which are exempt from public inspection include:
 - A. Personally identifiable records of students, pursuant to Florida Statutes and the federal Family Educational Rights and Privacy Act (FERPA).
 - B. Portions of personnel records, pursuant to Florida Statutes;
 - C. All work products developed in preparation for collective bargaining, pursuant to Florida Statutes;
 - D. Appraisals, offers, and counter offers relating to purchase of real property, pursuant to Florida Statutes;
 - E. Legal records prepared by an attorney exclusively for civil or criminal litigation, pursuant to Florida Statutes, and litigation files regarding employees while the case is active;
 - F. Data processing software obtained under a licensing agreement which prevents its disclosure and data processing software designated by the School Board as "sensitive" pursuant to Florida Statutes; and
 - G. Sealed responses to request for bids or proposals, until such time as they are publicly opened pursuant to Florida Statutes; and
 - H. Employee and student health and medical records as prescribed by Florida Statutes and P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA).

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 119.07, 447.605, 1001.43,
1002.22, 1012.31, 1013.14, F.S.
34 CFR 99, P.L. 103-382, 104-191

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOL VOLUNTEERS

3.13

A school volunteer is any nonpaid individual who gives his/her time to a school or school staff member while performing assigned duties. Duties assigned to school volunteers shall be consistent with Florida Statutes and State Board of Education rules.

- I. The school principal and each staff member who is assigned a school volunteer shall be responsible for assigning duties to school volunteers which are consistent with Florida Statutes, State Board of Education Rules, and School Board rules.
- II. The Superintendent shall issue directives concerning school volunteers as may be deemed necessary.
- III. School volunteers shall be subject to background checks including fingerprinting with the costs paid as determined by the School Board. School volunteers shall meet level two (2) screening requirements.
- IV. A school volunteer shall be accorded the same protection of Florida Statutes as accorded to certificated instructional personnel provided the school volunteer has been duly approved by the school principal as a school volunteer and has officially recorded his/her attendance in the school where he/she is rendering services under an administrative or instructional staff member.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

110.504(4), (5), 440.02(15)(d)6,
768.28, 943.04351, 1001.43, 1012.01, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.070

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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ALCOHOL, ALCOHOLIC BEVERAGES, MOOD-MODIFYING SUBSTANCE ON BOARD PROPERTY

3.15

No person shall be in possession of (except as provided through the culinary arts program), or be under the influence of, an intoxicating beverage or an illegal mood or behavior-modifying substance while on school property, at school-sponsored activities, or while on school trips involving students.

- I. All principals are hereby directed to advise an individual who has an alcoholic beverage in his/her possession to leave the school premises immediately.
- II. Any person having purchased an admission ticket to a school event shall forfeit his/her rights under this rule by having an alcoholic beverage in his/her possession at the event.
- III. Any person who has been given notice by a school official and either fails to leave the premises or leaves but returns to the premises, in possession of an alcoholic beverage, shall be deemed a trespasser. The police or other proper law enforcement agency may be notified to arrest the trespasser.
- IV. While on school-sponsored trips, the following action may become necessary:
 - A. Alcoholic beverages in possession of minors will be seized.
 - B. Students and/or adults in possession of alcoholic beverages may be returned to school or home and/or other appropriate action taken.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, 1012.27, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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CHARTER SCHOOLS

3.16

The Board, pursuant to Florida Statutes, may sponsor charter schools for the purposes of improving student learning and academic achievement, increasing learning opportunities for students, with special emphases on low achieving students; increasing learning opportunities for reading; increasing the use of innovative learning methods; increasing choices for students; requiring the measurement of learning outcomes; and creating new professional opportunities for teachers.

I. Responsibility of Lafayette District School Administration:

- A. Receive, review, and recommend to the School Board all charter applications in a timely fashion as stipulated by Florida Statutes.
- B. Develop a charter in cooperation with the applicant.
- C. Monitor charter school contracts and make recommendations to the School Board.

II. Eligibility for Charter Application

The Board may sponsor charters for schools which may serve any grade or combination of grades from kindergarten through grade twelve.

Eligible proposers are

- A. Any not-for-profit organization, or
- B. A public school which has been in operation for at least two (2) years and requests to convert to a charter school with fifty percent (50%) or more support of parents and fifty percent (50%) or more support of teachers.
- C. Private schools, parochial schools, and home education programs are not eligible to become charter schools.

III. Legal Entity and Requirements

A charter school shall

- A. Organize as a nonprofit organization.
- B. Be nonsectarian.

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- C. Charge no tuition or fees except those fees charged by other public schools.
- D. Meet health and safety standards of regular schools.
- E. Publish an annual progress report.
- F. Provide an annual financial audit similar to that of the School District to the School Board.
- G. Analyze and compare student performance.
- H. Comply with Florida Statutes applicable to public schools as they relate to civil rights, student health, safety, welfare, public records, public meetings, public inspections, and penalties.

IV. Student Eligibility

Participation and attendance of any student in a charter school is voluntary. If a public school converts to a charter school, parents may request nonparticipation and receive an assignment to a public school.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.02, 1001.43, 1002.33, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-6.0781

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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OPENING AND CLOSING OF SCHOOLS

3.17*

The Superintendent shall recommend and the Board shall set the opening and closing of schools and fix uniform dates.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOL CALENDAR

3.18

- I. Annually the Superintendent shall establish a school year calendar committee.
- II. The committee shall prepare a proposed school year calendar for the school year following the next occurring fiscal year and present to the Superintendent for approval and recommendation to the Board.
- III. School calendars shall adhere to the provisions of Florida Statutes.
- IV. The Superintendent/designee shall prepare a list of specific religious observance days which occur when school is in session and may result in a student's absence in accord with provisions of the *Code of Student Conduct* and other Board rules related to student attendance.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1001.51, 1003.21, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.09514, 6A-10.019

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOL SITE DECISION MAKING

3.19*+

It is the Board's intent that each school have input in decisions made that affect the operation of each local school. The Superintendent shall develop procedures to implement this policy based on requirements of Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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GUIDELINES AND PROCEDURES CONCERNING HIV OR OTHER COMMUNICABLE DISEASES (STUDENTS AND EMPLOYEES)	3.20
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I. Introduction

- A. It is the policy of this School Board to seek to provide, in the least restrictive environment, for the educational needs of each student to the maximum extent consistent with the needs of other students and the health, safety and welfare of all. One factor necessary in implementing this policy is that of providing AIDS-related education and awareness for students. Another such factor is that of adopting and implementing procedures to be followed in instances where the administration is notified by the parent, as defined by Florida Statutes, student or another employee that a student is known to have the Human Immunodeficiency Virus (HIV) or Acquired Immunodeficiency Syndrome (AIDS).
- B. This rule delineates also the policy of this School Board in utilizing the services of employees who have HIV, or AIDS. The purpose of the policy is the protection of the right of these employees to continued employment, while also recognizing the School Board's obligation, as an employer and educational agency, to provide an environment that is not only objectively safe for all employees, students and the public at large, but that is also one where, insofar as practicable and reasonable, employees and students do not have fears for their health or safety.
- C. In providing communicable disease education to include Hepatitis B and awareness for students, an important goal will be

to make it clearly and convincingly understood that, as to the present and the foreseeable future, there is no known or definitely expected cure for AIDS; and that most cases of AIDS resulted from behavior that can be avoided.

- II. In all matters related to this rule, directly or indirectly, all employees shall strictly observe and protect the rights of all students and their parents regarding privileged or confidential information.

III. Student Guidelines and Procedures

Epidemiological studies show that HIV is transmitted via contact with the body fluids of the infected person. Since there is no evidence of casual transmission by sitting near, living in the same household, or playing together with an individual who has HIV infection, the following guidelines have been developed:

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A. Circumstances Warranting Special Action

No student shall be excluded from attending regular classes solely because the student has been diagnosed as having HIV or AIDS including clinical evidence of infection with HIV. However, if a child so diagnosed evidences any one of the following conditions, the Superintendent of Schools with consent of the parent will convene an Advisory Panel for the purpose of making recommendations on the most appropriate educational placement of the student:

1. Manifestation of clinical signs and/or symptoms that indicate progression of the illness;
2. Demonstration of behavior risky or harmful to self or others;
3. Demonstration of unstable or decompensated neuropsychological behavior;
4. Presence of open wounds, cuts, lacerations, abrasions, or sores, on exposed body surfaces where occlusion cannot be maintained; and
5. Impairment of gastrointestinal and/or genito-urinary function such that control of internal body fluids cannot be maintained.

B. In the event the parent refuses to authorize release of information regarding the student, the Superintendent shall request a review by the County Health Officer. If the County Health Officer determines that students or school personnel are likely to be significantly exposed to body fluids of the student, the Superintendent may proceed with establishment of the panel, notwithstanding the refusal of the parent.

C. Composition of Advisory Panel

1. Superintendent of Schools;
2. Director and Health Officer of the County Health Department or designee;
3. Attending physician of the student with HIV infection;
4. Director of Exceptional Student Education;
5. Student's principal or principal's designee;

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6. Infectious disease specialty physician, when and as determined by the Superintendent as appropriate;
7. Other professional staff to include Health Services Staff when and as determined by the Superintendent as appropriate;
8. Case Manager (optional); and
9. Student's parent(s), when and as appropriate or requested, who shall not be official member of the panel.

D. Panel Responsibilities

1. Review student's medical history and current status (note: student identity dependent upon parent or guardian written release);
2. Review available educational and social data, progress reports as available, test results, prior school placements;
3. Discuss educational options, considering risks and benefits;
4. Reduce to writing findings, options, and recommendations and review draft report before submission to the Superintendent, focusing on key issues, unresolved problems, if any, and summary recommendations;
5. Submit written report to the Superintendent within twenty-four (24) days and remain available as needed; and
6. Re-evaluate each panel case on a continuing basis at least once every six (6) months and more often when circumstances change in the categories listed in III.A.

The general intent is that the Advisory Panel is to serve as an expert professional resource to advise the Superintendent in special situations where information about appropriate environment may not be available, complete, clear, or readily amenable to lay interpretation. It is expected that recommendations of the Advisory Panel shall be based solely upon current medical and educational information consistent with established ethical guidelines and considerations in accordance with extant guidelines of the Centers for Disease Control and Prevention and other scientific and relevant professional bodies.

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E. Panel Protocol

1. If the Superintendent determines that any one of the conditions in III.A. exists, the student in question will be placed on homebound instruction status for no longer than five (5) school days.
2. Within the five (5) school day period (equivalent to one calendar week), consent for release of medical information will be obtained, and past medical history, laboratory tests, and other relevant records will be provided to and reviewed by the Director of the Health Department and by other physicians as appropriate. Critical medical tests and other procedures will be conducted during this period by the Director of the Health Department or by other medical practitioners as warranted.
3. Based on results and medical interpretation of the student's current status, the Director of the Health Department and other consultants as appropriate will advise the Superintendent within five (5) days whether continued homebound instruction is or is not warranted.
4. If medical review indicates that continuation of special status is not indicated, the student will return to regular status at the end of the five (5) school day initial review period or upon the advice of the director of the Health Department, whichever is sooner.
5. If medical review indicates that continuation of special status is indicated, the student will remain on homebound instruction, for a period not to exceed fifteen (15) additional school days (equivalent to three more calendar weeks).
6. During the twenty (20) school day review period, the Superintendent will arrange the following steps in preparation for Advisory Panel review:
 - a. Alert Advisory Panel of forthcoming meeting to be scheduled.
 - b. Obtain written authorization from parent(s) of student to contact attending physician for medical information.

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- c. Obtain signed consent from parent(s) of student to permit release of information from attending physician and others to the Superintendent.
- d. Receive relevant medical and social information about the student with HIV infection and maintain same in strict confidence. Any written form to be reviewed will be shared in meetings with the panel and kept on file in Superintendent's or Health Department Director's confidential files (see III.H.).
- e. Circulate confidential information about the HIV infected student to the Advisory Panel members only.
- f. Schedule and notify the Advisory Panel members of initial review meeting, at date, time and location suitable to all; meeting will be scheduled only when complete medical information has been obtained and circulated in advance to all Advisory Panel members.

F. Siblings

Siblings of children diagnosed as having HIV, AIDS, or with clinical evidence of infection with HIV are able to attend school without any restrictions.

G. Exclusion from School

Since the student diagnosed as showing clinical evidence of infection with the AIDS-Associated Virus (HIV or AIDS) has an increased risk of acquiring infections in the school setting, the student will be excluded from school if there is an outbreak of a threatening communicable disease; upon the advice of the County Health doctor or the child's private physician such as, chicken pox or measles, until he/she is properly treated and/or the outbreak is no longer a threat to the child.

H. Privacy - Disclosure

Medical information shall be kept in strict confidence consistent with the Family Educational Rights and Privacy Act (FERPA), the Health Insurance Portability and Accountability Act (HIPAA) and other regulations.

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IV. Employee Guidelines and Procedures

A. Statement of Purpose and Scope

This section establishes the policy of the School Board for working with employees who have a communicable disease such as Hepatitis B, HIV, or AIDS, and is applicable to all employees of the School Board.

B. Employee Policy

The School Board recognizes that employees with life-threatening illnesses, including, but not limited to, cancer, heart disease, and AIDS-related illnesses may wish to continue to work. As long as employees are able to meet acceptable performance standards, and medical evidence indicates that their condition is not a threat to themselves or others, employees shall be assured of continued employment.

C. Training and Education

1. Medical studies show that HIV infection is transmitted via contact with body fluids especially semen, preseminal fluid, blood, and menstrual flow of an infected person. To date, there is no record of transmission of the AIDS-associated virus (HIV) to coworkers, clients or consumers in offices, schools, factories, construction sites or other workplaces. There is no evidence of casual transmission by sitting near or working in the same office or sharing the same water fountain, telephones, toilets, eating facilities or office equipment with a person infected with HIV.
2. Many of the problems that arise in the workplace when employees are confronted with a fellow employee who has become HIV infected are caused by lack of knowledge about the disease and misunderstanding of the way in which it is transmitted. The only means of combating this fear is education. Supervisors should make a concerted effort to educate themselves as to the facts regarding HIV infection and how it is and is not transmitted and, further, should make the same effort to educate their employees. Any information needed will be furnished by the School Board office. Supervisors should be sensitive and responsive to coworkers' concerns and emphasize employee education.

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D. Confidentiality

The School Board realizes that an employee's health condition is personal and confidential. Medical files or medical information about employees are exempt from public disclosure. In addition, information relating to a specifically named individual, the disclosure of which would constitute an unwarranted invasion of personal privacy, is prohibited. Special precautions should be taken to protect such information regarding an employee's health condition to prevent instances of disclosure that may invade the personal privacy of an employee. Unless specifically authorized by the employee, release of such information shall only be made in emergency situations to personnel who have a significant exposure to the blood or body fluids of the person. Written authorization of such release should be kept in a confidential file under lock and key, in the Superintendent's or Health Department Director's office.

E. Circumstances Warranting Special Action

No employee is prohibited from reporting for duty solely because the employee has been diagnosed as having HIV or AIDS, including clinical evidence of infection with the AIDS-associated virus (HIV). However, medical reports and information relative to the employee's condition shall be regularly examined and monitored by school authorities (health officials designated by the Superintendent and County Health Department Director). If an employee so diagnosed evidences any of the following conditions, the Superintendent of Schools may, with consent of the employee, convene an Advisory Panel for the purpose of making recommendation on the most appropriate work assignment for the employee:

1. Manifestation of clinical signs and/or symptoms which indicate progression of the illness;
2. Demonstration of behavior risky or harmful to self or others;
3. Demonstration of unstable or decompensated neuropsychological behavior;
4. Presence of open wounds, cuts, lacerations, abrasions, or sores on exposed body surfaces where occlusion cannot be maintained; and
5. Impairment of gastrointestinal and/or genito-urinary function such that control of internal body fluids cannot be maintained.

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F. Composition of the Advisory Panel

1. Superintendent of Schools;
2. Director and Health Officer of the Health Department or designee;
3. Attending physician of the employee with HIV infections;
4. Infectious disease specialty physician, when and as determined by the Superintendent as appropriate;
5. Other School District Health Services staff, when and as determined by the Superintendent as appropriate;
6. The employee when and as appropriate or requested, who should not be an official member of the Panel; and
7. Case Manager (optional).

G. Panel Responsibilities

1. Review employee's medical history and current status (note: employee identity dependent upon written release);
2. Review available social data, prior school assignments, and employment history;
3. Discuss with employee the employment options, as applicable, considering risks and benefits;
4. Reduce findings, options, and recommendations to writing and review draft report before submission to Superintendent, focusing on key issues, unresolved problems, if any, and summary recommendations;
5. Submit written report to the Superintendent within fourteen (14) days and remain available as needed; and
6. Re-evaluate each panel case on a continuing basis at least once every six (6) months and more often when circumstances change in the categories listed in IV.E.

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The general intent is that the Advisory Panel is to serve as an expert professional resource to advise the Superintendent in special situations where information about appropriate environment may not be available, complete, clear or readily amenable to lay interpretation. It is expected that recommendations of the Advisory Panel shall be based solely upon current medical and employment information consistent with established ethical guidelines and considerations in accordance with extant guidelines of the Centers for Disease Control and Prevention and other scientific and relevant professional bodies.

- H. In the event the employee refuses to authorize release of information to the panel, the Superintendent shall request a review by the County Health Officer. If the County Health Officer determines that students or school personnel are likely to be significantly exposed to blood or body fluids of the employee, the Superintendent may proceed with establishment of the panel, notwithstanding the refusal of the employee.
- I. Panel Protocol
 - 1. If the Superintendent determines that any one of the conditions in IV.E. exists, the employee in question will be placed on special assignment for no longer than five (5) work days.
 - 2. Within the five (5) work day period (equivalent to one calendar week), consent for release of medical information will be obtained and past medical history, laboratory tests, and other relevant records will be provided to and reviewed by the Director of the Health Department and other physicians as appropriate. Critical medical tests and other procedures will be conducted during this period by the Director of the Health Department or other medical practitioners as warranted.
 - 3. Based on results and medical interpretation of the employee's current status, the Director of the Health Department and other consultants as appropriate will advise the Superintendent within five (5) days whether a continuation of special assignment is or is not warranted.
 - 4. If medical review indicates that continuation of special assignment is not indicated, the employee will return to regular status at the end of the five (5) work day initial review period or upon the determination of the Superintendent, whichever is sooner.

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5. If medical review indicates that continuation of special assignment is warranted, the employee will remain on special assignment for a period not to exceed fifteen (15) additional work days (equivalent to three (3) more calendar weeks).
6. During the twenty (20) work day review period, the Superintendent will arrange the following steps in preparation for Advisory Panel review:
 - a. Alert Advisory panel for forthcoming meeting to be scheduled;
 - b. Obtain written authorization from employee to contact attending physician for medical information;
 - c. Obtain signed consent from employee to permit release of information from attending physician and others to Superintendent of Schools.
 - d. Receive relevant medical and social information about the employee with HIV infection and maintain same in strict confidence.
 - e. Circulate confidential information about the HIV-infected employee to the Advisory Panel members only.
 - f. Schedule and notify the Advisory Panel members of initial review meeting, at date, time and location suitable to all; meeting will be scheduled only when complete medical information has been obtained and circulate in advance to all Advisory Panel members.
 - g. Medical information shall be kept in strict confidence consistent with the Health Insurance Portability and Accountability Act (HIPAA) and other regulations.

V. Sanitation and Waste Disposal

Blood or any other body fluids including vomitus, fecal, or urinary products of any student or employee should be treated cautiously. It is required that gloves be worn when cleaning up any body fluids from any student.

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- A. These spills should be cleaned up with a fresh solution of bleach [no older than twenty-four (24) hours; one (1) part bleach to ten (10) parts water] or another EPA and District approved disinfectant, by pouring the solution around the perimeter of the spill.
- B. All disposable materials, including gloves, should be discarded in a manner prescribed by the County Health officer for disposal of biohazardous waste, in order to eliminate exposure of employees and students. Mops should also be disinfected with the bleach solution described in V.A.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 381.0098, 1000.21, 1001.62(1)(c), 1001.42, 1001.43, 1002.22, 1010.305, 1011.62, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.03020, 6A-6.0331

STATE DEPARTMENT OF HEALTH RULE(S): 64E-16

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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BACKGROUND SCREENING FOR CONTRACTORS

3.25+

- I. Contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds must meet level two (2) screening requirements as described in Florida Statutes. Contractual personnel shall include any vendor, individual or entity under contract with a school or the School Board. Each vendor, individual contractor or employee of a contractor as described in this section must provide verification that he/she has met the level two (2) screening requirements prior to accessing a school campus.
- II. An employee or contractor of an employer who offers a high school student internship(s) must meet level 2 background screening requirements if he/she has direct, unsupervised access to the student intern(s).
- III. A noninstructional contractor who has been convicted of any disqualifying offense, as defined in Florida Statutes, shall not have access to school grounds when students are present.
- IV. Contractual personnel must also meet the level two (2) screening requirements every five (5) years following entry into a contract. If the fingerprints of an individual under contract with the School Board have not been retained by the Florida Department of Law Enforcement, the individual must submit a complete set of fingerprints to the District.
- V. Each person under contract as described in sections I. and II. must agree to inform the party with whom he/she is under contract within forty-eight (48) hours if convicted of any disqualifying offense while under contract. If it is found that a person under contract does not meet the level two (2) requirements, the individual shall be immediately suspended from working in a contractual position and shall remain suspended until final resolution of any appeals. A person who is working with an intern will not be allowed to continue in an unsupervised situation.
- VI. The following noninstructional contractors shall be exempt from level 2 screening:
 - A. A contractor who is under direct, line of sight supervision of a District employee or contractor who has met level 2 screening requirements;
 - B. A contractor who is required by law to undergo level 2 screening for licensure, certification, employment, or other purpose and provides appropriate documentation;

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- C. A law enforcement officer who is assigned or dispatched to school grounds;
 - D. An employee or medical director of a licensed ambulance provider who is providing services;
 - E. A contractor at a site where students are not permitted and a six (6) foot chain link fence separates the work site from the remainder of the school grounds; or
 - F. A contractor who provides pickup or delivery services that involve brief visits to school grounds when students are present.
- VII. A noninstructional contractor, as described in section VI, who is exempt from level 2 screening shall be subject to a search of the registry of sexual offenders and sexual predators maintained by the Florida Department of Law Enforcement and the National Sex Offender Public Registry maintained by the U.S. Department of Justice. The District shall conduct the registry search without charge to the contractor. If a contractor is identified as a sexual predator or offender and not allowed on school grounds, the District shall notify the vendor, individual or entity under contract within three (3) business days.
- VIII. The Superintendent shall develop procedures to implement this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.496, 1012.32,
1012.465, 1012.467, 1012.468, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 3.00 - SCHOOL ADMINISTRATION

AUTOMATIC EXTERNAL DEFIBRILLATORS

3.30+

- I. The School Board authorizes the use of an automatic external defibrillator (AED) in a perceived medical emergency.
- II. All persons who are reasonably expected to use an AED shall be trained to use the device. Training shall include a course in cardiopulmonary resuscitation (CPR) or a basic first aid course which includes CPR and demonstrated proficiency in the use of an AED.
- III. Each school that is a member of the Florida High School Athletic Association shall have an operational AED on school grounds. The device shall be readily available for use. The location of the device shall be registered with the local emergency medical services director. All persons who are reasonably expected to use the device shall be notified of its location.
- IV. The Superintendent or designee shall develop procedures to implement this policy. The procedures shall be reviewed and approved by the local emergency medical services director.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

401.2915, 768.1325, 1001.42,
1001.43, 1006.165, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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STUDENT PROGRESSION PLAN

4.01*+

The School Board shall approve the *Student Progression Plan* and copies shall be maintained in the District office and at each school. The plan shall be pursuant to Florida Statutes and shall be comprehensive to include student performance standards and promotional and graduation requirements for Grades K-12, adult and general education, exceptional student education, dual enrollment, job entry, and vocational education including programs and courses in agriculture, business, marketing, health occupations, public service, home economics, industrial, and compensatory education. After School Board approval, the *Student Progression Plan* shall be made a part of this rule.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.43, 1003.437, 1003.49, 1008.25, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0941

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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THE CURRICULUM

4.02*+

- I. The District curriculum shall be determined by
 - A. Student performance standards, curriculum frameworks, and assessment tests;
 - B. Students' needs as determined by studies, assessments and surveys;
 - C. Continuous evaluation of curriculum effectiveness in meeting students' needs in the District; and,
 - D. Florida Statutes, State Board of Education rules and the School Board.
- II. The Superintendent may appoint such committees and special study groups as may be necessary to assist in determining the educational needs of the District.
- III. The Superintendent shall designate an appropriate staff member who is responsible for the development and coordination of the total curriculum of the District.
- IV. The program of instruction shall include, but not be limited to
 - A. Elementary Level Curriculum - reading, language arts, social studies, science, health, physical education, music, art, mathematics, character education, and such other disciplines that may be considered necessary to a comprehensive elementary school program. The curriculum shall include instruction in study and work habits, critical thinking skills, health and hygiene, citizenship, career orientation, the establishment of purposes, and the development of character and morality;
 - B. Middle Level Curriculum - Mathematics, language arts, reading, science, social studies, music, art, health, physical education, exploratory career education, computer literacy if resources are available, and critical thinking skills. Activities which offer desirable experiences such as consumer education, band, drama, creative writing, athletics, and student government shall be promoted. Instruction in the use of the library and counseling services shall be provided;
 - C. Senior Level Curriculum - Will consist of courses which meet the needs of all students. Both college preparatory and terminal courses shall be offered at levels which will challenge each student to perform in accordance with his/her ability.

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1. Library instruction and counseling services shall be provided.
 2. A program of student government, student publications, drama, music, social activities, and athletics shall be provided for the development of well-rounded citizens.
- D. A student's progression from one grade to another shall be determined, in part, upon proficiency in reading, writing, science, and mathematics.
- V. The Superintendent or designee shall make an annual report to the School Board each year, giving the status of the instructional program in meeting the District's educational goals and objectives and recommendations for improving the curriculum.
- VI. The responsibility and right of an instructional staff member to present information of a controversial nature is hereby recognized. The teacher shall not present controversial material or issues which are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the issue without bias or prejudice and shall permit each student to arrive at his/her own conclusions.
- VII. A course description shall be presented for School Board approval before any course or unit in the objective study of the Bible or a comparative study of religion, as provided in Florida Statutes, is initiated in any school. The description shall detail the purpose of the course, the materials to be used, grade location, length of the course, and credit value. No teacher shall present, or permit to be presented, any material which ridicules any religious sect, belief, or faith.
- VIII. Prior to initiating any course or unit of instruction in human growth and development, a course outline and complete description shall be presented for School Board approval. This rule does not preclude the teaching of personal cleanliness in health and physical education classes or in the elementary grades, or the teaching of matters relating to sex education as provided in state-adopted textbooks, or information relating to sex education as required in other courses using duly-adopted textbooks and materials where sex education is an incidental part of the course.
- IX. It shall be the responsibility of the school to make students aware of the dangers and consequences of sexually transmitted diseases. The manner, scope, and levels at which this information will be presented shall be determined by the Superintendent or designee in consultation with instructional supervisors and principal(s). Prior to initiating any such unit of instruction, the proposed program, the materials to be used, and other essential information shall be presented to

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the School Board for approval. When any questionable information is to be viewed by mixed groups, the sexes may be separated for presentation of materials.

- X. Age-appropriate information about Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV) infection, and other sexually transmissible diseases shall be taught in Grades K-12. Instruction shall address causes, transmission, and prevention and shall be approved by the School Board.
- XI. The Superintendent or designee shall review curriculum frameworks which are prepared and distributed by the Florida Department of Education and related to AIDS education. If the curriculum frameworks are inconsistent with locally determined curriculum for AIDS education or are not reflective of local values and concerns, the Superintendent shall advise the School Board and provide recommendations for instructional activities.
- XII. A student shall be exempt from instructional activities on reproductive health or Acquired Immune Deficiency Syndrome (AIDS) provided his/her parent(s), as defined by Florida Statutes, files a written request with the school principal.
- XIII. In compliance with Florida Statute 1003.46, throughout instruction in Acquired Immune Deficiency Syndrome, sexually transmitted diseases, or health education, when such instruction and course material contains instruction in human sexuality, a school shall:
 - A. Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age children while teaching the benefits of monogamous heterosexual marriage.
 - B. Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), and other associated health problems.
 - C. Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.
 - D. Provide instruction and material that is appropriate for the grade and age of the student.
- XIV. The Superintendent or designee shall develop a physical education program to implement the requirements of Florida Statutes.

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- XV. The Superintendent or designee shall develop procedures to implement the provisions of the Florida Secondary School Redesign Act. Requirements of the Act shall be incorporated into the *Student Progression Plan*.
- XVI. When dealing with political issues, the positions of all parties will be presented on a nonpartisan basis. Partisan political literature will not be distributed in schools. However, schools may give out information relating to School District taxes or the need for construction bonds.
- XVII. All course materials and verbal or visual instruction shall conform to the requisites and intent of all Florida law and the state constitution. All instructional materials, including teachers' manuals, films, tapes, or other supplementary instructional material, shall be available for inspection by parents of the children engaged in such classes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.413, 1003.42,
1003.43, 1003.45, 1003.455, 1003.46,
1006.28, 1006.29, 1008.25, 1010.305, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0941, 6A-1.09412, 6A-1.09414

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PHYSICAL EDUCATION

4.021*+

The School District of Lafayette County believes that physical education is an important component of the total educational program. Physical activity is essential to the development and maintenance of good health. The physical education program shall focus on providing students with the knowledge and skills to make healthy lifestyle decisions.

I. The physical education program shall be consistent with the standards of the National Association for Sport and Physical Education and with the Sunshine State Standards. It shall be an integral part of the District Wellness Program.

II. The physical education curriculum shall be a continuum from prekindergarten through grade 12. Activities shall be appropriate for the grade level and capabilities of the students and shall be of sufficient intensity and duration to provide a health benefit.

III. Goals of the physical education program shall include

A. Competency in motor skills and movement patterns;

B. Understanding of human movement as it relates to physical activities;

C. Understanding of the benefits of regular participation in physical activity;

D. Regular participation in physical activity;

E. Achievement of a health-enhancing level of physical fitness;

F. Knowledge of safety in physical activities;

G. Knowledge of first aid and cardiopulmonary resuscitation (CPR);

H. Demonstration of responsible personal and social behavior in physical activity;

I. Recognition and acceptance of the differing abilities of people;

J. Recognition of the values of physical activity for health, enjoyment, challenge, self-expression, and social interaction; and

K. Increase in health and wellness.

IV. The District shall develop a comprehensive physical education plan with input from teachers, parents, students, and representatives from the medical and sports fields. The plan shall be reviewed annually by the Wellness Committee and modified as appropriate. The plan shall adhere to the requirements of Florida Statutes.

V. The District shall notify parents annually that counseling concerning the benefits of physical education is available at each school. The District shall also inform parents, prior to scheduling a student for physical education, that the requirement for participation in physical education may be waived under certain circumstances as specified in law.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S. 1003.41, 1003.42, 1003.43, 1003.453, 1003.455, F.S. LAW(S) IMPLEMENTED: 1001.43, HISTORY: ADOPTED: _____
REVISION DATE(S): _____ FORMERLY: NEW

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ACADEMIC AND CAREER PLANNING

4.025

- I. Middle grade students shall participate in a career and education planning course during the seventh or eighth grade. Career exploration shall be included in the curriculum. The purpose of this course shall be to enable students and parents to develop realistic academic achievement and career goals for postsecondary experience. By the end of the course, each student shall have completed a four (4) to five (5) year academic and career plan (ePersonal Education Planner) based on postsecondary and career goals.
- II. The academic and career plan shall include
 - A. A destination;
 - B. A major area of interest;
 - C. A list of courses to meet the requirements of the destination and major area of interest.
- III. Destinations shall include
 - A. Four (4) year college or university, community college plus university, or military academy degree;
 - B. Two (2) year postsecondary degree;
 - C. Postsecondary career certificate;
 - D. Immediate employment or entry level military; or
 - E. A combination of any of these destinations.
- IV. The destinations shall accommodate the needs of exceptional education students to the extent appropriate for individual students. These students may follow the courses outlined in the *Student Progression Plan*.
- V. Completion of the academic and career plan shall be required for promotion to grade nine (9).
- VI. Secondary schools shall ensure that students and parents are aware of the destinations and the process of developing and revising academic plans.
- VII. The District shall encourage the business community to support career preparation by providing internships and apprenticeships.

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VIII. Each high school principal shall

- A. Designate an instructional or administrative staff member to serve as a specialist who will
 - 1. Coordinate the use of student achievement strategies;
 - 2. Assist teachers in integrating academic and career curricula, using technology, providing feedback about student achievement and implementing career and technical preparation programs;
 - 3. Coordinate the review of academic plans; and
 - 4. Coordinate the collection and retention of signed academic plans.
- B. Implement strategies to improve reading, writing and mathematics skills and eliminate deficiencies in these areas.
- C. Ensure that each student shall have an academic advisor if parental involvement is not evident.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.4156, 1003.491, 1006.02, 1007.21, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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EXCEPTIONAL STUDENT EDUCATION

4.03+

- I. Upon recommendation of the Superintendent, the Board shall annually adopt a plan for the provision of exceptional student education programs for all exceptional students.
- II. The annual plan for special programs and procedures for exceptional students shall include screening procedures; pre-referral activities; referral procedures; eligibility criteria; program placement; program dismissal; and descriptions of program organization and operations.
- III. The annual plan for exceptional student education shall be subject to the approval of the State Commissioner of Education.
- IV. The exceptional student education program shall conform to the provisions adopted by the Board and approved by the Commissioner and shall function in accordance with the provisions of law, State Board of Education rules, and other applicable provisions of Board policy.
- V. Every parent, as defined by Florida Statutes, of an exceptional student shall be informed about the services that are available and appropriate for the student's disability.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.42, 1001.43,
1003.01, 1003.57, 1006.07, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-6.0331, 6A-6.03411

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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DROPOUT PREVENTION PROGRAM

4.04+

The Superintendent or designee shall develop, for the School Board's approval, a Dropout Prevention Program pursuant to Florida Statutes. The Dropout Prevention Program shall be incorporated through the *Student Progression Plan*.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.53, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-6.0523

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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EXTRACURRICULAR PROGRAM

4.05

Interscholastic extracurricular activities shall be defined as planned secondary school-sponsored competitive activities which exist or are performed between students representing schools, school districts, regions, or the state. The extracurricular program shall be considered an essential part of the total school program and shall be under the principal's direction and general supervision. The principal shall select the personnel to direct and to act as advisors for the various extracurricular activities. Care shall be exercised to limit the load assigned to any one teacher.

- I. The principal shall be responsible for determining each participant's eligibility in interscholastic extracurricular activities pursuant to the Bylaws of the Florida High School Athletic Association, Inc. (FHSA). Any school which allows an ineligible student to participate shall be subject to the penalties set forth by the Bylaws of the Florida High School Athletic Association, Inc.
- II. All extracurricular activities shall be self-supporting, when possible. Students shall not be excluded from participating in activities for lack of money for dues, materials, or uniforms. Provided, however, this does not apply to charging admission for students who are spectators of extracurricular activities.
- III. Funds derived from extracurricular activities shall be processed according to the District's accounting procedures.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.15, 1006.20(9), 1012.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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STUDENT CLUBS AND ORGANIZATIONS

4.06

- I. All student clubs and organizations shall be approved by the principal before they can operate within a school center.

Vocational student organizations may be organized to provide an extension of training and may include clubs such as Vocational Industrial Clubs of American (VICA), Health Occupation Students of America (HOSA), and Phi Beta Lambda for Business Education Students (PBL).

- II. All student clubs and organizations shall comply with the following:
 - A. The decision of a member of an organization shall not be one of the factors in selecting additional members.
 - B. The charter and constitution of each student club or organization shall set forth the purposes, qualifications for members, and the rules of conduct and shall be maintained on file for immediate reference by all students and instructional personnel of the school.
 - C. There shall be no type of hazing in any club or organization within the school. Hazing shall be defined as any action or situation for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of the school which recklessly or intentionally endangers a student's mental or physical health or safety.
 - D. Dues shall be reasonable and not prohibitive.
 - E. All meetings shall be held on School Board property. This may be waived for special meetings and events upon the faculty sponsor's request and principal's approval.
 - F. A faculty sponsor shall be present at all meetings.
 - G. All social events shall be adequately chaperoned.
 - H. All monies accruing to any school club or organization shall be accounted for through the school's internal accounting system.
 - I. A student club or organization shall not conduct any activity or act which violates Florida Statutes, School Board rules, or the policies of the local school.

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- III. Any school club or organization which engages in an initiation ceremony for its members shall prepare and submit the program of initiation exercises to the faculty sponsor for review and approval by the school principal.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1006.07, 1006.09,
1006.135, 1006.14, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:**

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STUDENT PUBLICATIONS

4.07

The school principal may approve establishment of a school newspaper or magazine for students and their parent(s), as defined by Florida Statutes, as a part of the school curriculum.

- I. The principal shall be responsible for supervising the publication of newspapers, magazines, yearbooks, and programs and for ensuring these publications do not impede or otherwise interfere with the educational purpose of the school. Publications shall conform with School Board rules relating to communications with the public.
- II. The principal shall not allow advertisements in school publications from businesses which include, but are not limited to, the sale of intoxicants or tobacco.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.28, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PUBLIC APPEARANCE OF SCHOOL GROUPS

4.08

No school group may make a public appearance without the principal's approval.

- I. Requests for the school band or any school organization to make a trip or a personal appearance shall be directed to the principal for approval.
- II. School groups may participate in or perform for a political function by parading or playing instruments provided it is a community rally.
- III. School groups may be used for school activities, civic programs, and community benefit programs.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.07, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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ATHLETICS

4.09

- I. Athletic programs shall be under the control of the school principal.
- II. All District high schools shall be members of the Florida High School Athletic Association, Inc. (FHSAA) and shall be governed by the rules and regulations adopted by FHSAA. Students who participate in athletics shall meet eligibility requirements established by FHSAA and the School Board.
- III. Students practicing or participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport. The principal shall be responsible for obtaining proof, as evidenced by a copy of the insurance card and a signed statement from the student's parent(s), as defined by Florida Statutes, of the student's insurance prior to practice or participation in interscholastic athletics. Such insurance may be made available to the parent(s) through the school, or the parent(s) may submit evidence that insurance has been provided through another source.
- IV. No student shall engage in practice or participate in any interscholastic game without the written permission of the student's parent(s) being on file.
- V. Pursuant to Section 768.135, Florida Statutes, licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.
- VI. An automatic external defibrillator (AED) will be available for use, if needed, at every preseason and regular season interscholastic contest and at every FHSAA state championship series contest. Staff will be trained to use such equipment.
- VII. All students shall be subject to all School Board rules and to the *Code of Student Conduct* while attending athletic events and practices.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 768.135, 1001.43, 1006.07,
1006.15, 1006.16, 1006.20, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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ADULT EDUCATION

4.10*

The School Board shall establish and maintain an Adult Education Program which is based on a needs assessment and is designed for basic skills education, secondary education, or lifelong learning pursuant to Florida Statutes and State Board of Education rules. This program shall be the direct responsibility of the Director of Vocational, Adult, and Community Education. Course and credit requirements for the GED Diploma and the Adult General Education Program shall be approved by the School Board and incorporated into the *Student Progression Plan*.

- I. The program shall be designed for
 - A. An individual who has reached the compulsory school age and has legally withdrawn from the elementary or secondary school of last attendance.
 - B. A high school student who can be more effectively served in this program and who needs a course(s) required for high school graduation; and,
 - C. Any adult resident who desires to further his/her education.
- II. A student who withdraws from the regular high school program and subsequently enrolls in the Adult General Education Program shall be permitted to re-enter the regular high school program with the written permission of the regular high school principal and the adult education administrator.
- III. A student who is enrolled in the Adult General Education Program is expected to attend every class. Attendance shall be kept and reported for each class period by the teacher. Absences shall be counted effective the first scheduled class meeting. An excused absence may be allowed in accordance with the school attendance policy.
- IV. An official transcript showing acceptable course work or credit completed by a student shall be placed in the student's record. An official transcript is one received directly from the school or School District.
- V. Any student enrolled in the area technical center may withdraw from courses to enter active military duty without penalty. Students may reenroll in accordance with Florida Statutes.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.04, 1001.42, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.011, 6A-6.014, 6A-6.021

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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ALLOCATION OF INSTRUCTIONAL MATERIAL

4.11*

The distribution of all textbooks, library resources, and other instructional materials shall be made on an equitable basis to District schools. The allocation of these materials shall be based solely on student full time equivalent membership funds, school enrollment and membership, or similar indicators of the schools' student population and needs.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.28, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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INSTRUCTIONAL MATERIALS SELECTION

4.12

The School Board shall be legally responsible for all materials relating to the operation of District schools.

- I. Selection of State-adopted Textbooks and Instructional Materials - A District council shall be appointed to review textbooks and instructional materials which are being considered for state adoption.
 - A. Council members shall complete a training program developed by the Florida Department of Education prior to involvement with the review and selection process. The training shall develop skills to assist council members in making valid and objective decisions regarding the content and rigor of instructional materials.
 - B. The District council may not be composed of fewer than three (3) persons. One (1) member shall be a lay person and two (2) members shall be appropriately certificated instructional staff members when the council is composed of three (3) members. A council with more than three (3) members shall include at least one (1) lay person and appropriately certificated instructional staff members to constitute at least fifty percent (50%) of the composition.
- II. Selection of District-adopted Textbooks and Instructional Materials - The primary objective for District-wide adoption of textbooks and instructional materials, which may include state-adopted and nonstate-adopted textbooks and instructional materials, is to unify the curriculum of the total District educational program and to place a new and current instructional materials in schools within the first two (2) years of the state-adoption cycle. The selection process shall be in accordance with these provisions.
 - A. Selected instructional staff members shall evaluate textbooks and instructional materials for potential use in District Schools and shall provide recommendations and concerns to the Superintendent regarding the evaluation results. The Superintendent may appoint lay citizens to assist instructional staff members in evaluating textbooks and instructional materials.
 - B. The evaluation results of instructional staff members shall be reviewed by District curriculum staff members who shall determine the acceptability of the recommendations. District curriculum staff members shall advise the Superintendent after concluding their review. Unacceptable recommendations of instructional staff members shall be returned for

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further deliberation and consideration of textbooks and instructional materials.

- C. Recommendations on textbooks and instructional materials which are accepted by District curriculum staff members shall be presented to the Superintendent.
 - D. The School Board shall consider and approve or disapprove the Superintendent's recommendations.
- III. Selection of Nonstate Adopted Textbooks and Instructional Materials - The Superintendent shall establish the same procedures for evaluating and placing nonstate adopted textbooks and instructional materials on the District-adopted list as described in section II. herein.
- IV. District-adopted Textbooks and Instructional Materials - A District-adopted list identifying all School Board approved textbooks and instructional materials shall be prepared and distributed to schools. Schools may have access to one (1) textbook for each student for each subject area or course and other instructional materials deemed necessary to supplement the basic textbook.
- V. Selection of Textbooks and Supplementary Materials for Vocational-Technical Education - The coordinator for vocational-technical education shall review new textbooks and supplementary materials for technical content and accuracy. The coordinator for curriculum may consult with the appropriate occupational advisory committee to review and make recommendations on new textbooks or supplementary materials. Recommendations for new textbooks and supplementary materials shall be submitted by the coordinator to the Superintendent who shall bring before the School Board for approval.
- VI. Term of District-adopted Textbooks and Instructional Materials - The following provisions shall apply to adoption terms:
- A. Textbooks and instructional materials on the State-adopted and District-adopted lists shall remain for the period of the State-adoption cycle plus two (2) additional years.
 - B. Nonconsumable textbooks and instructional materials only on the District-adopted list shall remain for a maximum of three (3) years or until the next adoption cycle for that particular subject area begins.
 - C. Consumable textbooks and instructional materials only on the District-adopted list shall remain for a maximum of three (3) years.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.28, 1006.29(5),
1006.31, 1006.32, 1006.42, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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EDUCATIONAL MEDIA MATERIALS SELECTION

4.13

- I. Objectives of Selection - The primary objective of the school's educational media center is to implement, enrich, and support the educational program of the school. The center shall provide a wide range of materials on all levels of difficulty, with diversity of appeal, and the representation of different points of view. The School Board asserts that the responsibility of the media center is to provide
 - A. Materials that will enrich and support the curriculum, taking into consideration the varied interest, abilities, and maturity levels of the students served.
 - B. Materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
 - C. A background of information enabling students to make intelligent judgments in their daily life.
 - D. Materials representative of the many religious, ethnic, and cultural groups and their contributions to the American heritage.
 - E. A comprehensive collection appropriate for the users of the media center which places principle above personal opinion and reason above prejudice in the selection of materials of the highest quality.
- II. Criteria for Selection of Educational Materials
 - A. The standards to determine the propriety of the educational materials shall be pursuant to Florida Statutes.
 - B. First consideration shall be given to the needs of the individual school based on knowledge of the curriculum, of the existing collection, and of the needs of children and youth. Requests from users of the collection, *i.e.*, administrators, faculty, parents, as defined by Florida Statutes, and students, shall be given high priority.
 - C. Materials shall be considered on the basis of accuracy of content, overall purpose, timeliness, importance of the subject matter, quality of the writing/production, readability and popular appeal, authoritativeness, comprehensiveness of material, reputation of the publisher/producer, reputation and significance of the author/artist/composer/producer, format and price.

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- D. Gifts of media or money shall be accepted with the understanding that their use or disposition shall be determined by those persons having the responsibility for acquisitions, according to the same selection criteria and procedures as purchased materials.

III. Procedures for Selection

- A. In selecting materials for purchase, the school media specialist shall evaluate the existing collection and shall consult with
1. Reputable, unbiased, professionally prepared selection aids such as those published by companies generally accepted by the educational media profession.
 2. Media staff, curriculum consultants, faculty, students, and community representative.
 3. Media committee appointed by the principal to serve in an advisory capacity in the selection of materials.
- B. In specific areas, the media specialist shall follow these procedures.
1. Purchase materials which are outstanding and frequently used;
 2. Replace periodically worn or missing basic items;
 3. Withdraw out-of-date or unnecessary items from the collection; and,
 4. Examine sets of materials and materials acquired by subscription and purchase only material to fill a definite need.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.28, 1006.34(2)(b), F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: _____

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NONSCHOOL RELATED TRAVEL

4.14

The following provisions shall apply to trips in which students and teachers voluntarily and individually participate and which are not sponsored, endorsed, or supported by the School Board or within the scope of the regular instructional program.

- I. Trips shall be organized between the individual participants and any sponsoring agency and that relationship shall be expressed in descriptive literature.
- II. The School Board shall not be involved in the curriculum, itinerary, or selection of advisors for the trip.
- III. Promotional activities and literature shall not include the name of the individual school or School Board.
- IV. Participation in such travel by employees and students shall be subject to the District's leave and attendance policies.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: _____

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DISTRICT AND STATE-WIDE ASSESSMENT PROGRAM

4.15+

- I. No student shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any District testing program on the basis of race, sex, national origin, marital status, handicap, or religion. Test modifications shall be made for students with disabilities and Limited English Proficiency (LEP) consistent with state and federal requirements.
- II. The parent, as defined by Florida Statutes, of each student must be notified as the progress of the student towards achieving state and District expectations for proficiency in reading, science, writing and mathematics. A student's state assessment results must be reported to the parent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.11(5), 1001.43,
1008.22, 1008.34, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SECURITY OF TESTS

4.16

All mandatory tests administered by or through the State Board of Education and District administered national norm-referenced achievement tests shall be secured pursuant to Florida Statutes and State Board of Education rules.

- I. District and school personnel who have access to mandated tests shall be informed of test security laws and procedures and of penalties for breaches of test security.
 - A. The testing coordinator shall instruct school test coordinators and principals on test security measures.
 - B. Principals or their designee shall be responsible for informing their faculty of test security measures.
- II. The loss of tests, cheating, or any other breach of test security procedures and laws shall be reported immediately to the testing coordinator. Any unresolved problems in the District shall be reported to the Florida Department of Education pursuant to provisions in State Board of Education rules.
- III. The testing coordinator shall coordinate the return and/or destruction of test materials as directed by the Florida Department of Education.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.11(5), 1001.43,
1008.22, 1008.24, 1008.34, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-10.042

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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CHALLENGED MATERIALS

4.17

The following procedures shall be followed when the appropriateness of books or materials is questioned:

- I. School-community citizens may register their concerns with the principal of the school where material is being challenged.
- II. All concerns shall be presented in writing on a printed form that is available in each school office or the Superintendent's office. A complainant who does not complete and return the form shall receive no consideration. The statement shall include the following information:
 - A. Author, compiler, or editor;
 - B. Publisher;
 - C. Title;
 - D. Reason for objection;
 - E. Page number of each item challenged; and
 - F. Signature, address and telephone number of person making criticism.
- III. These procedures shall be followed for school level appeals.
 - A. A committee of teachers, educational media specialists, and other qualified personnel shall be appointed by the principal to evaluate the challenged materials and to make recommendations of any changes. The principal shall notify the Superintendent and the instructional materials coordinator when a committee is convened.
 - B. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
 - C. Challenged materials shall be read and re-evaluated by the committee, considering the specific objections raised. The committee shall report its decision within fifteen (15) working days.
 - D. The complainant shall be informed in writing concerning the committee's recommendations.

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- IV. These procedures shall be appropriate for district-level appeals and shall be followed when the complainant disagrees with the decision rendered from the school-level appeal. A committee shall be appointed by the Superintendent to review the appeal. The Superintendent shall designate the instructional materials coordinator as being responsible for the organization of this review committee according to School Board policies. The committee's recommendations shall be submitted to the Superintendent within fifteen (15) working days. A committee member shall not be selected from the school where the challenged materials originated.
- A. The following shall serve as a review committee for elementary schools:
1. The chairman of the county-wide advisory council or designee;
 2. Elementary media specialist;
 3. Elementary principal;
 4. A curriculum supervisor;
 5. Three (3) instructional staff members at the elementary level; and
 6. Two (2) parents, as defined by Florida Statutes, of elementary-age students.
- B. The following shall serve as a review committee for secondary schools:
1. The Chairperson of the County-wide Advisory Council or designee;
 2. Secondary media specialist;
 3. Secondary principal;
 4. A curriculum supervisor;
 5. Three (3) instructional staff members at the secondary level; and
 6. Two (2) parents of secondary-age students.
- C. The committee's review shall be treated objectively, unemotionally, and in businesslike manner and shall be conducted in the best interest of the students, the school, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections.

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- D. The complainant shall be informed, in writing, in fifteen (15) working days after the committee's recommendation is received by the Superintendent.
- V. A School Board appeal may be requested by the complainant when the school and district-level appeals do not satisfactorily resolve the concerns. The School Board shall review recommendations from the school and district-level committees and shall render the final decision on the complainant's concern.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.41, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

HOME EDUCATION PROGRAM

4.21

- I. Home education programs shall adhere to the provisions of Florida Statutes.
- II. The following provisions shall govern home education programs:
 - A. The parent, as defined by 1000.21, F.S., shall:
 1. Notify the Superintendent or designee in writing within thirty (30) days of the establishment of a home education program. The notice shall be signed by the parent, include the names, addresses, and birth dates of all children who shall be enrolled in the program. Copies of applicable Florida Statutes and the home education policy will be given to the parent and a conference to discuss the requirements will be held with the parent.
 2. Maintain a portfolio of records and materials for a period of two (2) years. Contents of the portfolio shall include:
 - a. A log made contemporaneously with the instruction, which designates by title the reading material being used; and
 - b. Samples of any writings, worksheets, workbooks, and creative materials used or developed by the student. ‡

Portfolios may be inspected by a District employee upon fifteen (15) days written notice to the parent.
 3. Provide an annual educational evaluation of each student in the home education program. The annual educational evaluation shall document the student's demonstration of educational progress at a level commensurate with his/her ability. A copy of the evaluation shall be filed annually with the School Board. The annual educational evaluation shall be conducted in accordance with Florida Statutes.
- B. The Superintendent shall receive and accept the results of the annual educational evaluation of the student in the home education program. If the student has not demonstrated educational progress commensurate with his/her ability, the parent shall be notified in writing and have one (1) year from the receipt of written notification to provide remedial instruction. Continuation in the home education program shall depend upon the student's educational progress at the end of the one (1) year probationary period.

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- C. Home education families are to provide written notice to the Superintendent's office of an address change or of their intention to terminate the home education program.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.41, 1001.43, 1002.01, 1002.41, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PARTICIPATION OF HOME SCHOOLED STUDENTS IN EXTRACURRICULAR ACTIVITIES

4.22

Home education students currently enrolled in home education programs registered with the School District, as well as students entering grades nine (9) through twelve (12) in a public school from a home education program, are eligible to participate in extracurricular activities, provided they meet all Florida Statutes, requirements and rules established by the School Board, and Florida High School Athletic Association (FHSA) and Florida School Music Association bylaws.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.15, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

HOMELESS STUDENTS

5.02*

- I. Homeless children who live within the county shall be admitted to school in the District, shall have access to free public education including preschool, shall be given the opportunity to meet local and state academic achievement standards, and shall be included in state and District assessments and accountability systems.

- II. Definitions

- A. Homeless Child

One who lacks a fixed, regular and adequate nighttime residence and includes children and youth who

1. Are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
 2. Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
 3. Are living in emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement;
 4. Have a primary nighttime residence that is
 - a. A supervised shelter designed to provide temporary living accommodations;
 - b. An institution providing temporary residence for persons who are to be institutionalized; or
 - c. A public or private place not designed or normally used as a regular sleeping accommodation for human beings;
 5. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
 6. Are migratory children who qualify as homeless because the children are living in circumstances described in II.A.1. through II.A.5.

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- B. Unaccompanied Youth – A student who is not in the physical custody of a parent or guardian.
 - C. School of Origin – The school that the student attended when permanently housed or the school where the child or youth was last enrolled.
 - D. Enroll and Enrollment – Attending school and participating fully in school activities.
 - E. Immediate – Without delay.
 - F. Parent – Parent or guardian of a student.
 - G. Liaison – The staff person designated by the District as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act.
- III. The District shall identify homeless students as defined by federal and state law.
 - IV. The District shall seek to remove barriers to the enrollment and retention of homeless children and youth.
 - V. The District shall ensure the immediate enrollment of homeless students.
 - A. The District shall assist homeless children to provide documentation to meet state and local requirements for entry into school.
 - B. A homeless child shall be given a thirty (30) school day exemption to provide proof of age, certification of a school-entry health examination, proof of immunization and other documentation required for enrollment.
 - VI. Each homeless student shall be provided the services that are available for all other students including transportation, school nutrition programs, before and after school programs, and education services for which the child meets the eligibility criteria such as exceptional education, gifted education, vocational and technical programs, preschool programs, Title I, and limited English proficiency programs.
 - VII. Homeless students shall be given meaningful opportunities to succeed in school.
 - VIII. Homeless students shall be allowed to remain in the school of origin to the extent feasible, unless this is contrary to the wishes of the parents.

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- IX. Homeless students and/or parents shall have the right to dispute school assignment if placement is other than the school of origin. The District shall ensure that unaccompanied youth and the parents of homeless students are notified of the right to remain in the school of origin and of the dispute process.
- X. If requested by the parent of a homeless child or by the liaison on behalf of an unaccompanied youth, the District shall be responsible for providing transportation to and from the school of origin throughout the duration of homelessness. The District shall share the responsibility for transportation if a homeless student begins living in another district in a homeless status and continues to attend the school of origin.
- XI. Homeless students shall not be stigmatized, segregated, or separated in any educational program on the basis of their homeless status.
- XII. The District shall follow the requirements of the McKinney-Vento Homeless Assistance Act.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1003.21, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.43, 1003.01, 1003.21, 1003.22, F.S.
MCKINNEY-VENTO HOMELESS ASSISTANCE ACT, P.L.100-77
NO CHILD LEFT BEHIND ACT OF 2001, P.L. 107-110**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

STUDENT ASSIGNMENT

5.03+

The School Board shall establish residential attendance zones for each school. All students, unless otherwise provided by School Board rule or authorized by the School Board's order, shall attend the school serving the student's residential attendance zone. A student's residence is defined as the residence of his/her parent(s), as defined by Florida Statutes. Any student residing in the School District shall be assigned to a school for attendance by the Superintendent or designee.

- I. No student shall be permitted to transfer, enroll, or be admitted to a school when he/she has been expelled from another school district. This prohibition shall be effective for the period of time in which the student was expelled from another district. Such students shall be accorded the same appeals procedure which is available to District students.
- II. A student may be permitted to attend a school in another residential attendance zone pursuant to guidelines adopted by the School Board. Guidelines shall be issued annually.
- III. Any student whose legal residence is outside the boundaries of the county may not be enrolled in any District school without the approval of the School Board, except under the provisions of Florida Statutes.
- IV. No student shall be permitted to cross district lines for the purpose of attending school in the School District or outside the School District, except under a written agreement as provided in Florida Statutes. Any such agreement between the School Board and any other Florida school district shall be duly recorded in the official School Board minutes. Such transfers shall be on a nondiscriminatory basis and shall not result in reducing desegregation in either school district or in reinforcing the dual school system.
 - A. The assigned school for an out-of-district student shall be designated on the basis of space available. Such assignment shall not occur after the February FTE (full time equivalency) count, except under the provisions of the contract with another District school system.
 - B. The Board shall specify conditions for admitting students from other Florida school districts.
- V. Any student(s) who has been attending a school that has been with a grade of "F," failing to make adequate progress for two (2) school years in a four (4) year period, may choose to attend a higher performing school in the District or an adjoining district consistent with Florida Statutes and State Board of Education rule.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.41, 1001.42, 1001.43,
1001.51, 1002.31, 1002.38, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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STUDENT ATTENDANCE

5.04*

- I. A student who is absent without the principal's approval shall have his/her parent(s), as defined by Florida Statutes, report such absences to the school center in the manner prescribed by the Student Progression Plan or Student Handbook.
 - A. The Student Progression Plan or Student Handbook shall prescribe attendance requirements including, but not limited to, provisions for excused and unexcused absences, opportunities to make up work assignments, and reporting absences.
 - B. Students shall be excused from any examination, study, or work assignments for observance of a religious holiday or because the tenets of his/her religion forbid secular activity at such time. The school principal shall implement this provision on an individual basis pursuant to Florida Statutes and State Board of Education rule.
 - C. No adverse or prejudicial effects shall result to any student who avails himself/herself to the provisions of this rule.
- II. Student absences must be tracked on a daily basis and parents contacted as required by law.
- III. A person designated by the Superintendent or his/her designee shall investigate truancy problems.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.21,
1003.23, 1003.24, 1003.26, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.09514

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
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REQUIREMENTS FOR ORIGINAL ENTRY

5.05

- I. Any student who initially enrolls in the District shall be required to present a certification of immunization for those communicable diseases as required by Florida Statutes.
 - A. Students who are under twenty-one (21) years of age and are attending adult education classes shall present certification of immunization for communicable diseases.
 - B. A transfer student may be granted thirty (30) days to provide documentation of school-entry health and certificate of immunization record.
 - C. Exceptions may be granted as provided in Florida Statutes.
- II. Students in Grades PK-12 who enter Florida public schools for the first time shall present evidence of a health examination within the twelve (12) month period prior to their initial entrance.
 - A. Any student who was previously enrolled in a Florida school and who seeks admission may be granted thirty (30) days to secure documentation of a school health examination.
 - B. The Superintendent may grant exceptions to this rule pursuant to Florida Statute.
 - C. The health examination shall be completed by a health professional who is licensed in Florida or in the state where the examination was performed.
- III. Any student who was previously enrolled in an out-of-state public school and who seeks admission to a District school shall be admitted on the basis of admission requirements established in the state in which the student resided prior to moving to the county, except as provided in this rule.
- IV. A student entering a District school from a private or nonpublic school shall be assigned to a grade based on placement tests, age, and previous school records.
- V. Any student who initially enrolls in the District shall be required to report any previous school expulsions, arrests resulting in a charge and juvenile justice actions the student has had. The District may waive or honor the final order of expulsion or dismissal of a student if an act would have been grounds for

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expulsion according to the receiving District School Board's *Code of Student Conduct*.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1003.01, 1003.21, 1003.22, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.024

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
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ADMISSION TO PREKINDERGARTEN EARLY INTERVENTION PROGRAM

5.051

Children who will have attained the age of three (3) years on or before September 1 of the school year are eligible for admission to prekindergarten early intervention programs during that school year or a preschool program as provided in Florida Statutes.

STATUTORY AUTHORITY:

1001.41, F.S.

LAW(S) IMPLEMENTED:

1001.36, 1001.43, 1003.21, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
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FOREIGN EXCHANGE STUDENTS

5.052

Any student from a foreign country sponsored by a foreign exchange visitor program who fulfills eligibility requirements, including the written approval of the principal, is entitled to attend a District high school.

- I. Eligibility Requirements – Students must meet the following eligibility requirements:
 - A. Be at least fifteen (15) but not more than seventeen (17) years of age on the date of enrollment.
 - B. Have sufficient knowledge of the English language to participate in high school classes.
 - C. Have appropriate medical insurance coverage.
 - D. Not have received a terminal degree from a high school.
 - E. Obtain written approval of the principal subject to the following restriction: The principal may grant approval for entrance of foreign exchange students up to a maximum of five (5) students per year.
- II. Procedure for Admission – The sponsoring organization must apply for admission of the student shall at least for (4) weeks prior to the student's enrollment date. The application shall include the student's school transcript in English, evidence of English competency, pertinent information about the student, the student's health record and an assurance of appropriate medical insurance coverage. Written approval or denial will be given to the sponsoring organization by the principal.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.42, 1001.43, F.S.

HISTORY:

ADOPTED: _____
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ADMISSION TO KINDERGARTEN

5.06

Any child shall be eligible for admission to kindergarten if he/she has attained the age of five (5) years on or before September 1 of the school year. Provided, however, a child who transfers from another state shall be admitted under the same age requirements as established in the state where he/she previously resided. Before admitting a child to kindergarten, the principal shall require evidence of

- I. The child's date of birth in the manner provided by Florida Statutes;
- II. An up-to-date immunization record; and,
- III. A school-entry health examination conducted within one (1) year prior to enrollment in school in accordance with State Board of Education Rule 6A-6.024.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.21, 1003.22, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-6.024

HISTORY:

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ADMISSION TO FIRST GRADE

5.07

- I. For admission to first grade, a student shall be six (6) years old on or before September 1 of the school year and shall satisfy one (1) of the following requirements:
 - A. Previous enrollment and attendance in a Florida public school;
 - B. Satisfactory completion of kindergarten requirements in a nonpublic school; or
 - C. Previous attendance in an out-of-state school in which he/she was admitted on the basis of age requirement established by the state of residency.
- II. First grade students shall progress according to the District's *Student Progression Plan*.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.21, 1003.22, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-6.024

HISTORY:

ADOPTED: _____
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POSTSECONDARY VOCATIONAL PROGRAMS

5.08*+

- I. The Superintendent or designee shall develop written procedures to implement Florida Statutes, and State Board of Education rules which pertain to impaired or learning disabled students who enter postsecondary programs in vocational-technical education centers. The procedures shall include, but not be limited to,
 - A. A method for identifying students who meet the definition of hearing impaired, visually impaired, or learning disabled pursuant to State Board of Education rules.
 - B. Development of reasonable substitutions for admission and graduation requirements for postsecondary programs offered at a vocational-technical center.
 - C. A plan for advising students about eligibility criteria and substitution requirements.
 - D. Individualized counseling for students who may qualify for substitution requirements.
 - E. An appeal process for students who do not qualify for substitution requirements.
- II. A high school or adult student who has a documented disability and is completing a postsecondary vocational program may be exempted from meeting the career basic skills levels required for completion of the program. The District shall establish exit criteria for disabled students who have not achieved the basic skills levels on the posttest.
- III. A student who attends the area vocational-technical center shall be classified as either a high school student or an adult student.
 - A. A high school student is a tenth, eleventh, or twelfth grade student who is age sixteen (16) or older and is concurrently enrolled in a regular high school and the vocational-technical center for one (1) to six (6) hours daily. Ninth graders are admitted into vocational-technical home economics programs designed for exceptional education students.
 - B. An adult student is a person who is sixteen (16) years or older and has withdrawn from a regular school program.

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- IV. The Superintendent or designee shall maintain records on students who apply for and who are permitted to enter postsecondary programs on the basis of Florida Statutes and State Board of Education rules. Data collected shall be in accordance with State Board of Education rules.
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- V. Upon the recommendation of the Superintendent, the Board may approve plans and agreements with institutions of higher education for dual enrollment and/or early admissions programs.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1004.91, 1007.264, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-10.040, 6A-10.041

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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GRANTING PERMISSION FOR STUDENTS TO LEAVE THE SCHOOL CAMPUS

5.09

- I. No student shall be permitted to leave the school grounds during the school day for school business/activities without the principal's prior approval or written consent from the student's parent(s), as defined by Florida Statutes, provided an acceptable reason is established.
- II. The principal or the teacher shall definitely establish the identity and authority of any person who requests the release of a student from school. If the person requesting the release of the student is a person other than the parent with whom the child resides, the principal or teacher concerned shall not release the child without the verified authorization of the parent with whom the child resides.
- III. The provisions of this section shall not apply to a law enforcement officer, court official, other authorized agency officials or proper school employee provided that the person's identity and authority are clearly established.
- IV. If a student is eighteen (18) years old or otherwise identified by statutes as being treated as having achieved majority status, and having verified this with school officials, he/she shall be considered as acting as his/her own guardian for purposes of this policy if the student provides proper written documentation, if feasible, that the parent(s) have been informed of the decision.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.07, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
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STUDENT CONTROL

5.10+

All students enrolled in school shall be subject to the laws, regulations of the State Board of Education, the rules and policies of the School Board and the *Code of Student Conduct* and shall be under the control and direction of the principal or designee during the time they are transported to or from school at public expense, during the time they are attending school or a school-sponsored activity, and during a reasonable time they are on School Board premises for school attendance or authorized activities.

- I. The principal or the principal's designated representative shall see that students are properly supervised while at school and during any school-sponsored activity.
- II. The teacher, other members of the instructional staff or bus driver shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.
 - A. No student may be suspended from school, from school bus transportation or from class, nor may corporal punishment be administered except as provided by law and the policies of the Board.
 - B. No student shall be suspended for unexcused absence, tardiness, or truancy unless otherwise provided in the *Code of Student Conduct*.
- III. This policy shall not apply to students while they are being transported to or from school by private citizens.
- IV. The *Code of Student Conduct* for elementary, middle, high school and postsecondary schools are hereby incorporated by reference and made a part of this rule. The *Code of Student Conduct* and any revisions shall be approved and adopted by the School Board. The *Code of Student Conduct* shall
 - A. Be developed by School Board members, appropriate grade level teachers, school personnel, school administrators, students, and parent organizations.
 - B. State grounds for disciplinary action procedures and the rights of students.
 - C. Be distributed to all teachers, school personnel, students, and students' parent(s), as defined by Florida Statutes, at the beginning of each school year.
 - D. Be filed in the Superintendent's office.

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- V. The *Code of Student Conduct* shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each year.
- VI. Any School Board decision which conflicts with provisions in the *Code of Student Conduct* shall prevail until revisions are adopted.
- VII. The principal shall use the *Code of Student Conduct* to familiarize students with School Board rules relating to students' rights, responsibilities, and conduct at the beginning of each school year and whenever he/she deems it necessary.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

120.57(1), 1000.21, 1001.43, 1003.04,
1003.21, 1003.31, 1003.32,
1006.08, 1006.09, 1006.10, 1006.13, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0404

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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BULLYING AND HARASSMENT

5.101*

I. Statement Prohibiting Bullying and Harassment

- A. It is the policy of the Lafayette County School District that all of its students and school employees have an educational setting that is safe, secure and free from harassment and bullying of any kind. The District will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
- B. The District upholds that bullying or harassment of any student or school employee is prohibited
 - 1. During any education program or activity conducted by a public K- 12 educational institution;
 - 2. During any school-related or school-sponsored program or activity;
 - 3. On a school bus of a public K-12 educational institution; or
 - 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution.

II. Definitions

- A. Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to
 - 1. Teasing;
 - 2. Social Exclusion;
 - 3. Threat;
 - 4. Intimidation;
 - 5. Stalking;

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6. Physical violence;
 7. Theft;
 8. Sexual, religious, or racial harassment;
 9. Public humiliation; or
 10. Destruction of property.
- B. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that
1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
 2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
 3. Has the effect of substantially disrupting the orderly operation of a school.
- C. Bullying and harassment also encompass
1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
 2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
 - a. Incitement or coercion;
 - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

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- D. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

III. Behavior Standards

- A. The Lafayette County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

Students will conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority and respond to those who hold that authority. There will be appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success. These awards will be given at the end of the year at the awards ceremonies for each school. Student rights, disciplinary sanctions and due process will be set forth in the Student Code of Conduct. Students and parents receive a copy of the Code of Conduct. Students receive an explanation at the beginning of school regarding their rights, sanctions and due process.

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IV. Consequences

A. Committing an act of bullying or harassment

1. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
2. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
3. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
4. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

B. Wrongful and intentional accusation of an act of bullying or harassment

1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
2. Consequences and appropriate remedial action for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.

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3. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

V. Reporting an Act of Bullying or Harassment

- A. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
- C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
- D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
- E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
- F. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

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- H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
 - I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.
- VI. Investigation of a Report of Bullying or Harassment
- A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act.
 - B. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.
 - C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
 - D. The investigator shall collect and evaluate the facts including but not limited to
 - 1. Description of incident(s) including nature of the behavior;
 - 2. Context in which the alleged incident(s) occurred;
 - 3. How often the conduct occurred;
 - 4. Whether there were past incidents or past continuing patterns of behavior;
 - 5. The relationship between the parties involved;
 - 6. The characteristics of parties involved, *i.e.*, grade, age;
 - 7. The identity and number of individuals who participated in bullying or harassing behavior;
 - 8. Where the alleged incident(s) occurred;
 - 9. Whether the conduct adversely affected the student's education or educational environment;
 - 10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and

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11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
 - E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include
 1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 2. A written final report to the principal.
 - F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
 - G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
- VII. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District
- A. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
 - B. The trained investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
 1. If it is within the scope of the District, a thorough investigation shall be conducted.
 2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.

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3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.

VIII. Notification to Parents/Guardians of Incidents of Bullying or Harassment

A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.

1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
2. If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”

B. Immediate notification to the parents/legal guardians of the perpetrator of an act bullying or harassment.

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

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- C. Notification to local agencies where criminal charges may be pursued.

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

IX. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

- A. The teacher or parent/legal guardian may request informal consultation with school staff, *e.g.*, school counselor, school psychologist, to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardian are included.
- B. School personnel or the parent/legal guardian may refer a student to the school intervention team for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.
- C. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
- D. The intervention team may recommend
1. Counseling and support to address the needs of the victims of bullying or harassment;
 2. Research-based counseling or interventions to address the behavior of the students who bully and harass others, *e.g.*, empathy training, anger management; and/or
 3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

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X. Reporting Incidents of Bullying and Harassment

- A.** Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report shall also include each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.
- B.** The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code.
 - 1.** Bullying and/or harassment incidents shall be reported in SESIR with the bullying/harassment code.
 - 2.** If the bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are
 - a.** Arson
 - b.** Battery
 - c.** Breaking and Entering
 - d.** Disruption on Campus
 - e.** Major Fighting
 - f.** Homicide
 - g.** Kidnapping
 - h.** Larceny/Theft
 - i.** Robbery
 - j.** Sexual Battery
 - k.** Sexual Harassment

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- l. Sexual Offenses
 - m. Threat/Intimidation
 - n. Vandalism
 - o. Weapons Possession
 - p. Other Major (Other major incidents that do not fit within the other definitions)
 - C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.
 - D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department.
- XI. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment
 - A. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
 - B. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying in schools.

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XII. Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

XIII. Publicizing the Policy

- A. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.
- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- C. The Superintendent shall also make all contractors contracting with the District aware of this policy.
- D. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

CHAPTER 5.00: STUDENTS

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1003.04, 1003.31, 1003.32,
1006.07, 1006.08, 1006.09,
1006.10, 1006.147, F.S.
20 USC 1232g**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

STUDENT DETENTION, SEARCH AND SEIZURE

5.11

- I. The principal, a teacher, or any other staff member may temporarily detain and question a student when circumstances indicate that such student has committed, is committing, or is about to commit a violation of Florida Statutes or School Board rules.
- II. Any activity involving student detention, search, and seizure shall be in accordance with procedures set forth in the *Code of Student Conduct*.
- III. Each principal shall place a sign which is clearly visible to students and in a prominent location(s) within the school. The sign shall contain the following text:

Notice to Students

School authorities may search student lockers or other areas when reasonable suspicion that prohibited or illegally possessed substance or object is contained within the area pursuant to Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.31, 1006.07, 1006.09(9), 1006.13, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

EXPULSION OF STUDENTS

5.12

The school principal may recommend, to the Superintendent, the expulsion of any student who has committed a serious breach of conduct.

The principal shall recommend to the Superintendent the expulsion of any student who has violated School Board rules which require mandatory expulsion.

Proper procedures shall be followed in all student expulsion proceedings as required by Florida Statutes, State Board rules, and School Board rules.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

120.57(1), 1001.43, 1001.54, 1003.31,
1006.07, 1006.08, 1006.09, 1012.28, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-6.0331

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

USE OF TIME-OUT, ISOLATION, AND SECURED SECLUSION FOR STUDENTS WITH DISABILITIES

5.121

- I. Time-out should be
 - A. A brief procedure lasting between one (1) and five (5) minutes, rarely lasting over fifteen (15) minutes.
 - B. Consistently administered contingent upon occurrence of an undesirable behavior.
 - C. Coupled with objective observation of whether or not time-out is effective in remediating the problem.
 - D. It must be documented on the student's Individual Education Plan (IEP) and the Special Discipline Procedure form. It may also be included in the student's Behavior Plan, if needed.
- II. Isolation refers to directing the student to an unlocked, separate, isolated room that can be monitored by the teacher or teacher assistant for a predetermined amount of time. Isolation should be used only after less restrictive interventions have been tried. Students may request time in isolation so that they may regain control of themselves or remove themselves from a potentially disruptive situation. It must be documented on the student's Individual Education Plan (IEP) and the Special Discipline Procedure form. It may also be included in the student's Behavior Plan, if needed.
- III. Secured Seclusion is the most restrictive intervention. It is the removal of a child from a positively rewarding environment and placement into a secured neutrally stimulating room away from the classroom. Secured seclusion is only used when less restrictive interventions have been attempted and failed, or a student behavior presents a danger to self and/or others, or there is evidence serious property damage may occur due to the student's behavior, or the student exhibits behavior so inappropriate that the teaching/learning environment is disrupted.
- IV. Teachers are required to complete the Physical Restraint Intervention and/or Seclusion Time-out Record sheet each time a student is restrained or placed in secure seclusion (formerly referred to as the time-out room). It must be documented on the student's Individual Education Plan (IEP) and the Special Discipline Procedure form. It may also be included in the student's Behavior Plan, if needed.

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- V. If a student is in secured seclusion (within the time-out room) for a thirty (30) minute period, the principal must be notified and an administrator must check on the student to ensure there is no danger to the child. The principal is required to sign the record sheet to indicate that this precaution has taken place.
- VI. Teachers are required to return a copy of the record sheet to the Exceptional Student Education (ESE) office at the end of each month. A copy must also remain at the school with the principal or their designee.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.07, F.S.

HISTORY:

ADOPTED: _____

REVISION DATE(S): _____

FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

ZERO TOLERANCE FOR SCHOOL RELATED CRIMES

5.13*

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. This policy implements the State Board of Education's Zero Tolerance Policy as outlined in Florida Statutes, including
 - A. Victimization of students.
 - B. Felony or misdemeanor as defined by Florida Statutes, Section 775.08.
 - C. Substance abuse which is defined in Section 984.03, Florida Statutes, as "using, without medical reason, any psychoactive or mood-altering drug, including alcohol, in such a manner as to induce impairment resulting in dysfunctional social behavior."
- II. Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and be referred to the criminal justice or juvenile justice system:
 - A. Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.
 - B. Making a threat or false report as defined in Florida Statutes Sections 790.162 and 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.
 - C. Assault or Battery on Specified Officials or Employees in violation of Section 784.081(1), (2), Florida Statutes.
 - D. Hazing as defined in 1006.135, Florida Statutes.
- III. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.
- IV. The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.

CHAPTER 5.00 – STUDENTS

- V. If a student committing any of the offenses in this policy is a student with a disability, the School Board shall comply with the applicable State Board of Education rules.
- VI. Any student found to have committed a violation of Section 784.081(1), (2) or (3), Assault or Battery on Specified Officials or Employees shall be expelled or placed in an alternative school setting or other program as appropriate. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**120.57(1), 775.08, 784.081, 790.162, 790.163,
1001.42, 1001.43, 1001.54, 1003.31,
1006.08, 1006.09, 1006.13, 1006.135, 1012.28, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-1.0404, 6A-6.03311

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:**

CHAPTER 5.00 – STUDENTS

ANABOLIC STEROID TESTING FOR STUDENT ATHLETES

5.141

- I. As a condition of being a member of the Florida High School Athletic Association (FHSA), each school with students in grades nine (9) through twelve (12) will participate in the state-mandated anabolic steroid testing program. Each school shall adhere to the provisions established by FHSA.
- II. FHSA shall designate the sports that will be included in the testing program.
- III. Students participating in designated sports will be subject to random testing. Failure by a student or his/her parent(s), as defined by Florida Statutes, to consent to steroid testing will disqualify a student from participation in a designated sport.
- IV. All records and information related to any test or to any challenge or appeal shall be confidential, shall not be subject to the public records law, and shall not be included in a student's educational record.
- V. The portion of a meeting at which exempt records are discussed shall be exempt from the open meetings law. Appeals meetings shall be exempt from the open meetings laws and shall be closed to the public.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.41, 1001.43, 1006.20, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

ADMINISTRATION OF MEDICATION

5.15*

- I. Administration of Prescription Medication
 - A. Each school principal shall designate a staff member(s) to administer prescribed medications. The staff member(s) shall be trained annually by a licensed nurse or licensed physician.
 - B. Administration of prescription medications during school hours is discouraged unless a physician determines that a student's health needs require medication during school hours. This rule and the *Code of Student Conduct* shall set forth provisions for administering prescription medications.
 - C. All prescription medications shall be delivered to the office/clinic with the following information on the label:
 - 1. Student's name
 - 2. Name of medication
 - 3. Date of prescription and pharmacy
 - 4. Specific instructions on the administration of the medication
 - 5. Approximate duration of medication.
 - D. A permission form signed by the student's parent, as defined by Florida Statutes, shall be required. The physician's signature on the permission form is required after two (2) days. The permission form shall be updated every ninety (90) days. A two (2) day grace period will be extended to parents for renewal of authorization of medication. No nonprescription medication will be given with a prescribed medication without permission of the physician.
 - E. Prescription medication which is kept at school or on the bus shall be counted and shall be stored in its original container, in a secure location under lock and key as designated by the school principal. Only staff who have been designated by the principal and have received training shall have access to the medication.

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- F. A student with a special health condition(s) such as asthma, diabetes or hypersensitivity may carry prescription medication for emergency situations on self if approved by his/her physician and his/her parent or guardian. The approval of the physician and the parent and information regarding the medication required in III. must be on file in the office/clinic. A student who has permission to self administer emergency medication may carry the medication on the school bus or at any school related activity. The principal shall notify the bus driver and the transportation department regarding such students.
- G. A record shall be maintained on each student who receives a prescription medication during school hours, including the date and time each dose of prescription medication was administered. These records shall be made available at all times to the principal and authorized staff.

II. Administration of Nonprescription Medication

- A. A nonprescription medication may be administered to a student by a registered nurse, health support aide, or school staff designated by the principal provided a completed and signed parental authorization is on file at the school.
- B. At the time of administration of the nonprescription medication at school, the parent will be notified by telephone. If unable to contact the parent, a letter will be sent home with the student stating the medication administered and the time of administration. Documentation of the administration of any medication will be made and kept on file at the nurse's office.
- C. A registered nurse or health support aide will assist in the administration of these medications to the student in the school health room setting. In the event of an emergency situation in which these professional health workers are not available, the school office staff, who have been trained to administer medication, may assist the student in the administration of the nonprescription medication. The procedures and training for the administration of nonprescription drugs shall be the same as that for prescription drugs.
- D. A record shall be maintained on each student who receives a nonprescription medication during school hours, including date and time each dose was administered. These records shall be available to the principal and authorized staff. All nonprescription medication will be stored in a locked cabinet in the health room.

CHAPTER 5.00 – STUDENTS

- III. Field Trips - The requirements for the administration of medication while students are away from school property or on official school business shall be the same as those while on school property. All medications including nonprescription medications that are taken on field trips or other official school business must be in the original container. Only trained personnel will administer medication away from the school site except for students who have permission to self administer emergency medications.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.43, 1002.20,
1002.22, 1003.25, 1006.062, F.S.**

STATE DEPARTMENT OF HEALTH RULE(S):

64F-6.004

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

PSYCHOTROPIC MEDICATION

5.151

- I. Psychotropic medication is a prescription medication used for the treatment of mental disorders and includes, without limitation, antihypnotics, antipsychotics, antidepressants, anxiety agents, sedatives, psychomotor stimulants, and mood stabilizers.
- II. The School Board of Lafayette County shall not deny a student access to programs or services because the parent, as defined by Florida Statutes, has refused to place the student on psychotropic medication.
- III. A teacher, administrator, or other District employee shall not require that a student take psychotropic medication; nor shall any District employee compel or attempt to compel a parent to administer psychotropic medication to his/her child.
- IV. A teacher, administrator, or other District employee may discuss school based observations of a student's academic, functional, and behavioral performance with the student's parent. The employee may offer options for programs and services that are available to the parent and student; however, the parent shall be responsible for selecting programs and services, if any, for the student.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.0625, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

EYE PROTECTION DEVICES

5.16

The principal shall inform all teachers concerned with instruction in courses specified in Florida Statutes, of the requirements relating to the wearing of eye protection devices. The principal shall direct such teachers to continuously follow provisions of Florida Statutes without exceptions.

- I. The School Board shall provide protective devices for School Board employees, students, and visitors.
- II. The student shall be required to wear the eye protection device as directed by the teacher when engaged in activities listed under the Eye Protection Device Law. The student's failure or refusal to wear the device shall be cause for his/her suspension or dismissal from the course.
- III. Any teacher who fails to carry out the provisions of this rule shall be charged with willful neglect of duty and shall be reported to the Superintendent or designee for such action as deemed appropriate.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.063, 1006.07, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

STUDENT INJURIES

5.17

The following procedures shall be followed when a student is injured at school:

- I. First aid shall be administered by the nearest person with first aid training.
- II. The student's parent(s), as defined by Florida Statutes, shall be notified immediately.
- III. The family physician shall be notified and his/her instructions followed if the parent(s) or a responsible adult member of the family cannot be reached.
- IV. A physician who has agreed to handle school emergencies shall be called if the parent(s), adult member of the family, or the family physician cannot be reached.
- V. A student shall be taken to the emergency room of the nearest hospital when a life threatening situation occurs. Discretion shall be used in moving a critically injured student without medical advice.
- VI. A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- VII. An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.
- VIII. An insurance report shall be prepared if an injury is covered by insurance.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.07, 1006.08, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

LEGAL NAME OF STUDENT

5.18

When a parent, as defined by Florida Statutes, or any other person seeks to enroll a student under a name other than the legal name, or seeks to change the name of a student already enrolled, the parent or other person shall be informed that the name of the student as recorded on the birth certificate or other supporting evidence, as provided by law, will be used on all official records until such time as a final court order verifying a legal change is received.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.21, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

STUDENT RECORDS

5.19*+

School Board Rules and procedures for maintaining student records shall be consistent with Florida Statutes, State Board of Education rules, and federal laws relating to Family Educational Rights and Privacy Act and Privacy Rights of Parents and Students. The Superintendent shall be responsible for interpreting this rule and the school principal shall be responsible for controlling and supervising student records, following all rules on student records, and interpreting rules on student records to the school staff, students, and the community.

- I. Procedures on student records shall be approved by the School Board and contained in the *Student Educational Records Manual*. Included shall be provisions of the No Child Left Behind Act requirements relating to the surveying of students, the collecting of information from students for marketing purposes, and certain nonemergency medical examinations.
- II. The individual records of children enrolled in the Voluntary Prekindergarten Education Program shall be maintained as confidential records exempt from the public records law as required by Florida Statutes.
- III. Reporting of student database information shall comply with these safeguards.
 - A. Data reported to the Florida Department of Education shall not disclose a student's name or identity unless required by Florida Statutes;
 - B. Data shall not be stored in a single file or released in such a manner that a complete student profile can be reported unless specified by Florida Statutes; and
 - C. Data shall be protected from unauthorized use at all times.
- IV. Social security numbers may be collected from students
 - A. To be used as student identification numbers as required by 1008.386, FS
 - B. To facilitate the processing of student scholarships, college admission and other applications; and
 - C. For other purposes when consent of the parent or adult student is granted.

CHAPTER 5.00 – STUDENTS

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 20 USC §1232g (34 CFR PART 99)
119.07(1), 1001.43, 1001.52, 1002.22, 1002.72,
1003.25, F.S., P.L. 103-382 (34 CFR PART 99)

STATE BOARD OF EDUCATION RULE(S): 6A-1.0955

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

DIRECTORY INFORMATION

5.20

Students' parent(s), as defined by Florida Statutes, shall be notified annually in the *Code of Student Conduct* that the School Board may release "directory information" to the general public.

- I. Directory information includes the following data about a student:
 - A. Name;
 - B. Address;
 - C. Telephone number, if listed;
 - D. Participation in officially recognized activities and sports;
 - E. Weight and height, if an athletic team member;
 - F. Name of the most recent previous school or program attended;
 - G. Dates of attendance at schools in the District and degrees and honors received; and,
 - H. Date and place of birth.
- II. Information described in subsections I.A., D., E., F., and G. herein may be published routinely by the School Board in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.
- III. Directory information requested in writing by agencies identified in Florida Statutes, may be released subsequent to written notification to the student's parent(s), or a student who is eighteen (18) years of age or older. The written notification to the student or the student's parent(s) shall be by certified mail receipt and shall be addressed to the most current address on file at the school or District office.
- IV. Directory information shall not be published when the student's parent(s) submits written notification to the principal within thirty (30) days of distribution of the *Code of Student Conduct*. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information pursuant to Florida Statutes or federal laws.

CHAPTER 5.00 – STUDENTS

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.43, 1002.22, F.S.

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

STUDENT ILLNESS

5.21

- I. The teacher, principal or nurse shall isolate a student who becomes ill while at school until the student can be removed to his/her home. A student with a temperature above normal, diarrhea, or emesis shall be evaluated and sent home, if necessary.
- II. A student who has had a serious communicable disease shall present a statement from a physician licensed by the state of Florida before being readmitted to classes. A student not attended by a physician may be readmitted if the principal, in his/her judgment, finds the student has met the criteria for readmission as established by the County Health Unit.
- III. No internal medicine of any kind may be given to a student without the written permission of the parent(s), as defined by Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.07, F.S.

HISTORY:

ADOPTED: _____

REVISION DATE(S): _____

FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

TEACHER REMOVAL OF STUDENTS FROM CLASSROOM

5.22

- I. Appropriate action will be taken to remove or to make special provisions for a disruptive student. Disruptive behavior will include: assault on staff or students, threat(s) or violence, disrespect, willful disregard of a teacher's directions, malicious vandalism, possession of weapons of any type, continuing use of profane language or obscene gestures, and instigation of violence or mass disobedience to legitimate directions.

When a teacher sends a disruptive student to the office, the principal or his/her representative will provide oral and/or written feedback to the teacher with regard to present and/or future action concerning the student's behavior. The teacher may request a conference with the principal or his/her representative and the student's parent(s), as defined by Florida Statutes, prior to the student being returned to his/her classroom. A disruptive student will not normally be returned to the classroom where he/she exhibited the disruptive behavior until the teacher has received the feedback.

- II. A teacher may remove a student from his/her class whose behavior the teacher determines interferes with the teacher's ability to effectively communicate with other students in the class or with the ability of the student's classmates to learn.
- III. The principal may not return a student who has been removed by a teacher from the teacher's class without the teacher's consent, unless the Placement Review Committee established herein determines that such placement is the best or only available alternative. The teacher and Placement Review Committee must render decisions within five (5) working days of the removal of the student from the classroom.
- IV. Each school shall establish a Placement Review Committee(s) to determine if a student is to be returned to a teacher's class after that student has been removed by the teacher and the teacher has withheld consent for that student to be returned to the teacher's class.
 - A. Committee membership shall include the following:
 1. Two (2) teachers selected by the instructional staff of the school.
 2. One (1) member of the school staff selected by the principal.
 3. One (1) teacher selected by the instructional staff of the school to serve as an alternate member of the committee.

CHAPTER 5.00 – STUDENTS

- B. A teacher, who removed a student from his/her class and who has withheld consent for the return of that student to his/her class, shall not serve on the committee when the committee makes its decision regarding the return of the student.
- C. The Placement Review Committee(s) will be selected during preschool planning. Each school's faculty shall also determine the following during preschool planning:
 - 1. If a current school committee(s) meets the criteria contained herein for the Placement Review Committee(s) and if the faculty wishes that committee to perform the duties of the Placement Review Committee(s).
 - 2. The number of Placement Review Committees needed at each school.
 - 3. The terms of office of the members of the Placement Review Committee(s).
 - 4. The method the instructional staff will use in the selection of the Placement Review Committee(s) members.
 - 5. The appropriate form a teacher is to use to document the behavior which resulted in the teacher having the student removed from his/her classroom.
- D. Any teacher who removes twenty-five percent (25%) of his/her total class enrollment shall be required to complete professional development to improve classroom management skills. Any required training under this provision shall be free of cost to the teacher.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.32, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

REPORT CARDS

5.23*

The policies relating to the content and issuance of student report cards for all elementary, middle school, and high school students are included in the District's *Student Progression Plan*.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.33, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

PARENTAL ACCESS TO INFORMATION

5.24+

- I. The Board shall incorporate into the Board approved *Student Services Plan*, rules and procedures required by the No Child Left Behind Act relating to student privacy, parental access to information and administration of physical examinations to minors.
- II. The Superintendent shall develop procedures to ensure that this policy is carried out in each of the District schools.
- III. Parents, as defined by Florida Statutes, of each student shall be notified at a minimum, at least annually at the beginning of the year, the rules and procedures relating to this policy. Parents shall be notified within a reasonable period of time of any substantive change made to this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

20 USC 1232H, 1000.21, 1001.43, 1002.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

STUDENT USE OF CELLULAR TELEPHONES AND OTHER COMMUNICATION DEVICES

5.25*

- I. Personal telephones and other communication devices may be brought to school with the following conditions applying:
 - A. Devices must be turned off during school hours.
 - B. If emergency calls to or from students are necessary they should be placed through the school office and not to or from the student's telephone.
 - C. Devices should be kept secure to prevent theft (e.g., vehicles, purses, backpacks, lockers).
- II. Violation of these provisions shall result in the confiscation of the personal telephone or other communication devices and its return only to the parent, as defined by Florida Statutes. If the student is of majority age, then he/she may be prohibited from possessing a phone or other communication devices on campus.
- III. The use of personal telephones or other communication devices at school events shall not be limited by this policy; however, the principal shall have full authority to promulgate rules that implement all provisions herein.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.04, 1003.31,
1006.07, 1006.08, 1006.09, 1006.145, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT DEFINED

6.10

- I. Full Time - A regular full time employee is a person who is employed for the school term or for the school fiscal year to render the minimum number of hours each day as established by the Board for that position or job.
- II. Part-time - A part-time employee is a person who is employed to render less than the number of hours each day as established by the Board for a regular full time employee.
- III. Temporary - A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal year or when the temporary work has been completed. A temporary employee may be a part-time or a full time employee.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

APPOINTMENT OR EMPLOYMENT REQUIREMENTS

6.103*

Any person desiring employment shall file a completed application on the form provided by the Superintendent.

I. Qualifications

- A. Must be of good moral character.
- B. Must have attained the age of eighteen (18) years with the exception of students employed by the Board.
- C. Must not be ineligible for employment under 1012.315, F.S., if applying for an instructional, administrative or any other position requiring direct contact with students.

II. Certificate Requirements

Each applicant for an instructional or a certificated administrative position shall hold a certificate, have a receipt from the Florida Department of Education acknowledging that an application has been filed and that issuance of the certificate is pending, or have the proper license to perform services.

- A. To be considered for a position, an applicant shall be duly qualified for that position in accordance with state law, regulations of the Florida Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the annual contract of employment as approved by the School Board.
- B. Any person not holding a valid Florida certificate at the time of employment shall be required, upon initial employment, to make application to the Florida Department of Education for such a certificate, through the Personnel Services office of the District. When such certificate is received, it must be filed with the office of the Superintendent. If the Department of Education declines to issue a certificate, the person's employment shall be terminated immediately. Failure to file such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.

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III. Interviews and Appointments

- A. Interview teams, including those with community representatives, shall reasonably reflect the District's diverse racial, ethnic, and gender composition.
- B. The Superintendent or designee shall monitor and ensure that appointments and assignments are consistent with the District's intent of maintaining a diverse work force.

IV. Driving Record

- A. The driving record of each applicant for the position of school bus operator or for any position that would require the person to drive a School Board vehicle shall be reviewed to determine if the record contains any infractions of the driving code that would make the applicant unqualified for the position in accordance with the District safe driver plan.
- B. The driving record of each current school bus operator shall be reviewed prior to the first day of the fall semester and periodically during the school year to determine if the record contains any infractions of the driving code that would make the operator unqualified for the position in accordance with the District safe driver plan. The driving record of any employee who is required to drive a School Board vehicle shall also be reviewed periodically during the year to determine whether the employee may continue in the position.

V. Initial Employment

- A. Any offer of employment with the School District is conditioned on submission of fingerprints as required by Florida Statute and a background investigation by the Superintendent or designee and District Criminal Background Check (CBC) committee. After a job offer, but prior to beginning employment with the District, all candidates for all positions must undergo a criminal and employment background check to determine suitability for employment. The application for employment shall inform applicants they are subject to criminal background checks, and advise applicants that failure to be truthful on the application about prior criminal history will be grounds for ineligibility or dismissal from employment.
- B. As a condition of employment and prior to beginning work, an applicant who has received a conditional job offer must file a complete set of fingerprints taken by an authorized law enforcement officer or an employee of the District trained to take fingerprints. The fingerprints shall

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be processed by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The applicant shall be required to pay for full costs of processing at the time of fingerprinting.

- C. A Criminal Background Check (CBC) committee shall be established to review the criminal history of all persons nominated for initial employment. The CBC committee shall obtain criminal background information for applicants through requests to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The CBC committee shall include, but not be limited to, the Director of Personnel Services, the District EEO Officer, and a representative of the County Sheriff's Department.
- D. When the fingerprint or background check reports are returned, the committee shall review both the application and the report(s) concerning the individual. The CBC committee will compare the information provided by the new employee with the information received from the FDLE and/or the FBI pursuant to Florida Statute.
- E. The Superintendent or designee shall conduct employment history checks of applicants for instructional, administrative or any other positions requiring direct contact with students. The employment history check shall include, but not be limited to, screening through the use of educator screening tools described in law and contact with each previous employer. All findings shall be documented. If the Superintendent is unable to contact a previous employer, he/she shall document all efforts to contact the previous employer. For all other applicants, the CBC committee or its designee shall contact or attempt to contact all prior employers for a minimum of the past ten (10) years and all private or public educational institutions by which the applicant was previously employed while age eighteen (18) or older. The committee shall document all attempts to contact previous employers.
- F. No applicant who has received a conditional job offer shall begin work before his/her fingerprints are processed, the criminal and pre-employment investigation is completed, and a determination is rendered as to suitability for employment.
- G. Based upon the facts of an application, criminal background check or other valid or reliable data sources, applicants who are, or have been convicted of certain serious offenses may be denied employment by the School District. As used in this section the term conviction is defined as a finding of guilt, a plea of guilty, or a plea of *nolo contendere*, or a verdict of guilty. The withholding of adjudication or the entry of an order sealing or

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expunging the record requiring a pre-trial intervention or pre-trial diversion shall not be considered an exception to this section. Other information derived from the pre-employment investigation, which indicates the applicant may not be suitable for employment by the School District, may be grounds for denying employment to an applicant.

- H. An applicant shall be disqualified from employment in any position requiring direct contact with students if he/she is ineligible for employment under 1012.315, F.S.
- I. Any instructional or noninstructional persons under contract to the School District to operate student programs, student teacher, persons participating in short-term teacher assistance experiences or field experiences who have district contact with students must meet the requirements of V.A., B., E. and F. Such persons may not be in direct contact with students if ineligible under 1012.315, F.S.

VI. Current Employees

- A. Whenever a personnel investigation of a complaint against an employee is required, a criminal background check may be conducted as part of the investigation.
- B. If it is discovered during the period of employment that a regular employee has a prior criminal record and that the employee was requested to provide this information at the time of hire, but did not do so, the employee may be subject to disciplinary action, including dismissal for submitting false information on the employment application, or otherwise having misled the District.
- C. If it is discovered during the period of employment that an employee has a prior criminal record and no falsification of an application nor attempt to mislead occurred, the record shall be reviewed by the CBC committee. The committee shall consider all information, including any mitigating conditions, and report findings of fact, possible mitigating circumstances and recommendations for action to the Superintendent. The employee shall have the opportunity to respond in writing to the findings and recommendation. The Superintendent shall review the record, recommendation and response before taking appropriate action. Appeal of the Superintendent's action shall follow collective bargaining agreements or School Board policy, as appropriate.

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- D. Instructional personnel and noninstructional or contractual personnel who have direct contact with students or have access to or control of school funds must meet the screening requirements described in law every five (5) years. Personnel whose fingerprints have not been maintained by the Department of Law Enforcement are required to be refingerprinted.
- E. An employee whose criminal record after employment would disqualify him/her from employment shall be subject to disciplinary action up to and including termination.

VII. Acceptance of Appointment

Failure to signify acceptance of appointment within ten (10) days after receipt of the official notice of appointment shall be considered a rejection of the offer and the position shall be declared vacant.

VIII. Reconsideration and Appeal

- A. Applicants who have been denied employment, and probationary employees who have been denied permanent employment, on the basis of their criminal record, drug screening and/or background check, may request reconsideration by the CBC committee only if they present new information not previously available to the committee.
 - B. Applicants who have been denied employment, and probationary employees who have denied permanent employment, because of their criminal record and/or background check, may appeal to the Superintendent. Applicants and probationary employees shall receive written notice of the right to appeal the decision by the CBC committee to the Superintendent. Their appeal must be in writing, and may respond to the findings and decision of the CBC committee. If new information is to be submitted, the applicant must first request reconsideration by the CBC committee. The Superintendent's decision shall be final.
- IX. The District shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity so as to ensure equal employment opportunity. Neither the District nor its agents shall engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 381.0056, 1001.42, 1001.43, 1012.01,
1012.22, 1012.27, 1012.315, 1012.32,
1012.39, 1012.465, 1012.55, 1012.56, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-3.0141

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

PROBATIONARY STATUS FOR NONINSTRUCTIONAL PERSONNEL

6.104

Upon initial employment, noninstructional employees shall serve a probationary period. If a collective bargaining agreement does not provide for the conditions of a probationary period then the following provisions shall govern the implementation of this policy:

- I. The probationary period shall begin the first day of regular employment.
- II. The probationary period shall be ninety (90) days in duration.
- III. Employment during the probationary period must be continuous for probation to be successfully completed.
- IV. The probationary period may be extended if
 - A. the fingerprinting process is pending completion, or
 - B. the Superintendent or designee determines that an additional probationary period is needed.
- V. The Superintendent shall determine whether to continue the employee's employment for the duration of the contract year.
- VI. A probationary employee who is recommended for termination (nonrenewed) shall not have rights of appeal nor have a written explanation.
- VII. Probationary noninstructional personnel shall be entitled the same benefits that are provided other employees in the same work position.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.40, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
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CHAPTER 6.00 – HUMAN RESOURCES

PHYSICAL EXAMINATIONS

6.11

The Superintendent may require a physical, psychological, and/or psychiatric examination by a physician licensed in the state of Florida when in the Superintendent's judgment such an examination is relevant to the teaching performance or employment status of a School Board employee. The Superintendent shall select the physician(s), psychologist(s), or psychiatrist(s) and shall pay all costs incurred in the examination(s). The employee shall allow the report of the physician(s), psychologist(s), or psychiatrist(s) to be submitted to the Superintendent with a copy being forwarded to the employee.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.32, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

TRANSPORTATION EMPLOYEE DRUG AND ALCOHOL TESTING

6.111*

- I. This policy is intended to deter the use of drugs and alcohol in the workplace by establishing standard procedures for drug and alcohol testing for all employees who are required to hold a Commercial Driver's License (CDL).
- II. Employers of persons performing safety sensitive functions and holding a Commercial Driver's License (CDL) are required to implement a drug and alcohol testing program pursuant to the Omnibus Transportation Employee Testing Act of 1991 (OTETA), (Pub. L. 102-143, Title V), regulations of the Federal Highway Administration (FHWA) at 49 CFR Parts 40 and 382, and 1012.45, Florida Statutes.
- III. Definitions as Used in this Policy
 - A. *Prohibited Substances or Drugs* means any illegal drug or substance as identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC §812) and by regulations at 21 CFR §§1308.11-.15, including, but not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine. Prohibited use includes both use of any illegal drug, and misuse of legally prescribed or obtained prescription drugs.
 - B. *Alcohol Use* means the consumption of any beverage, mixture or preparation containing alcohol, including any medication or product.
 - C. *Covered Employees* means those School Board employees who are required to hold a commercial drivers' license as a condition of employment and in which a driver operates:
 - 1. a vehicle designed to carry 16 or more passengers,
 - 2. a vehicle which weighs more than 26,000 pounds, or
 - 3. a vehicle which carries a placard indicating hazardous cargo.
 - D. *Program Manager* means the staff person designated by the Superintendent as OTETA program manager.
 - E. *Safety-sensitive function or safety-sensitive position* means all job responsibilities of a covered employee from the time he or she begins to

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work or is required to be in readiness for work until the time he or she is relieved from work.

- F. *Medical Review Officer* or *MRO* means a physician with knowledge of substance abuse disorders and who has appropriate medical training to interpret and evaluate laboratory positive drug test results in a confidential manner, in conjunction with or without an individual medical history and any other relevant biomedical information, to determine alternative medical explanations for positive drug test results.

IV. Treatment and Notice Requirements

- A. Notice to Affected Employees - The Board will inform all covered employees prior to conducting drug and alcohol testing and provide the reasons for conducting the test(s). The Board will provide written notice of the required testing to covered employees.
- B. Education and Training - The Board will provide educational materials that explain the requirements of the program and its policies and procedures with respect to meeting the requirements.
- C. Treatment Information - Each covered employee who engages in prohibited conduct shall be evaluated by a substance abuse professional who shall determine what assistance, if any, the employee needs to resolve problems associated with use of prohibited drugs or alcohol misuse. The employee is responsible for all costs associated with evaluation and/or treatment.
- D. Self-referral - An employee with a substance abuse problem may refer himself/herself to the Employee Assistance Program via the program manager at any time prior to receiving notice of a required alcohol or drug test. Such an employee will be granted a leave and be required to successfully complete a rehabilitation program prior to returning to a safety-sensitive position.

V. Prohibited Conduct

- A. Prohibited Substance or Drugs - No covered employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance. The employee must provide advance notice to the supervisor of the use of prescribed therapeutic drugs that cause symptoms such as drowsiness and excitedness.

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- B. Alcohol - No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having a blood alcohol concentration (BAC) of .02 or greater. The use of alcohol is prohibited during the duty day, and for four hours prior to reporting for duty. The consumption of alcohol is also prohibited for up to eight hours, or until tested, following an accident as described in post-accident testing below. While operating a vehicle, covered employees may not have any item in their possession which contains alcohol, unless that item is a part of the vehicle's official inventory. Alcohol-free medications are available, and covered employees should advise their physicians of the need for such substitutes.
- C. Refusal to Test - No employee shall refuse to submit to a required test, delay reporting for a test, or attempt to adulterate test results. Any of the above shall be considered a positive test, in accordance with FHWA regulations, and a violation of this policy.
- D. Medical Review Officer Contact - No employee may refuse to contact the MRO. All initial positive drug tests must be reviewed and confirmed by an MRO. The results are discussed with the employee prior to being reported to the district. If the MRO is unable to contact the employee, the program manager will be notified. When the employee is contacted by the program manager or a designee, the employee must call the MRO immediately.

VI. Consequences of Engaging in Prohibited Conduct

- A. Removal from Work - Covered employees with a confirmed positive test for alcohol or controlled substances are in violation of Board policy and will immediately be removed from safety-sensitive positions, placed on leave without pay, and provided a list of substance abuse professionals (SAP). Upon submission of a written substance abuse treatment plan from a SAP, licensed physician or counselor and enrollment in an out-patient or in-patient treatment program, the employee may be granted paid leave, if accrued leave is available, after entering into a rehabilitation contract with the Board.

Failure to contact the MRO upon notification shall be considered a violation of this policy. The employee shall be removed from the safety-sensitive position and shall be subject to disciplinary action up to and including termination.

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- B. Rehabilitation Program, Return-to-Duty Test - Prior to returning to work, the employee must provide written documentation of an evaluation by a SAP; the successful completion of a rehabilitation program, if recommended by the SAP; and a negative return-to-duty, alcohol and/or drug test.
- C. Stand-down from Work - An employee with a BAC of .02 or higher shall be immediately removed from the safety-sensitive position for a minimum of twenty-four (24) hours and placed on leave without pay. Prior to returning to work, the employee must have a negative return-to-duty alcohol test.
- D. Recommendation for Termination - Termination of employment will be recommended for any employee who:
 - 1. fails to be evaluated by a SAP or fails to successfully complete a substance abuse rehabilitation program; or
 - 2. has a second positive test for alcohol and/or controlled or illegal substances; or
 - 3. fails to submit to any required alcohol or drug test.

VII. Testing, Analysis, and Results

- A. The Board intends to comply with all alcohol and controlled-substance testing procedures contained in 49 CFR Parts 382, 392, and 395. The School Board recognizes the need to protect individual dignity, privacy, and confidentiality in the alcohol and drug testing program. Specimen analysis shall be conducted in a manner to assure a high degree of accuracy and reliability, using laboratory facilities which are certified by the U.S. Department of Health and Human Services and the Florida Agency for Health Care Administration.
- B. The following are conditions upon which testing may be conducted as required by federal regulations or when circumstances warrant:
 - 1. Pre-employment Testing - All applicants for employment for positions requiring a Commercial Driver's License (CDL) shall undergo testing prior to employment except as otherwise specified pursuant to 49 CFR §382.301(c). Written documentation must be provided by the candidate for employment to substantiate any exception.

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2. Reasonable Suspicion Testing - A supervisor or designee outside the bargaining unit who has been trained in accordance with the requirements of FHWA regulations shall require a driver to submit to an alcohol or drug test when the supervisor or designee has reasonable suspicion to believe that a driver has violated the prohibitions contained in the FHWA regulations and this policy.

Reasonable suspicion must be based on documented objective facts and circumstances which are consistent with the long- and short-term effects of alcohol or substance abuse, including, but not limited to, physical signs and symptoms, appearance, behavior, speech and/or body odor.

3. Post-accident Testing - Alcohol or drug testing will be administered following an accident when the driver was performing a safety-sensitive function. For this purpose, *accident* is defined by the FHWA to include at least one of the following criteria:

- a. loss of human life;
- b. driver received a citation from a law enforcement officer and either a driver or passenger received immediate medical treatment away from the scene of the accident; or
- c. one of the vehicles involved was to be towed from the scene of the accident due to operational impairment.

Such testing must be conducted within the time limits set forth in the FHWA regulation.

4. Random Testing - All covered employees shall be subject to random, unannounced drug and alcohol testing. The annual random rate for alcohol testing shall be twenty-five percent (25%) of the covered employees. The annual random rate for controlled substance testing shall be fifty percent (50%) of the covered employees.

Alcohol testing shall take place before, during, or after driving, and within reasonable proximity to driving. When an employee tests positive for alcohol, a second test shall be performed no less than fifteen (15) minutes and not more than twenty (20) minutes later. The results of the second test shall be controlled.

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Drug testing may take place at any time during the Board's regular work day.

5. Return to Duty Testing - All employees who previously tested positive on a drug or alcohol test must submit to a return-to-duty test and test negative prior to returning to duty.
 6. Follow-up Testing - Unannounced follow-up alcohol and/or controlled substance testing as directed by a SAP in accordance with FHWA regulations shall occur when it is determined that a covered employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of drugs. The number and frequency of follow-up testing shall be determined by the SAP, with a minimum of six (6) tests within a year.
 7. Split Sample Test - An employee who tests positive for a controlled substance may request that a test of the split sample be conducted. The second test will be conducted by a different laboratory, as selected by the employee from a list provided by the Board. The employee shall be responsible for pre-payment of the second test by certified check or money order. However, in the event the second test is negative, the Board will reimburse the employee. If performed, the second test shall be controlling.
- C. All drug testing with the exception of employee requested tests, shall be at the expense of the School Board.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**112.0455, 440.102, 1001.43, 1012.45, F.S.
49 CFR Part 40, DOT, 49 CFR Parts 382 AND 391,
FEDERAL HIGHWAY ADMINISTRATION**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:**

CHAPTER 6.00 – HUMAN RESOURCES

LICENSE OF SCHOOL BUS ~~DRIVER~~ OPERATOR

6.112*

Each school bus operator shall possess the minimum qualifications prescribed in Florida Statutes, State Board of Education rules and other controlling regulation.

- I. All school bus operators shall hold a valid Commercial Driver's License (CDL) for a Class B vehicle with passenger (P) and school bus (S) endorsements.
- II. The license shall be displayed in a conspicuous place in the school bus or shall be carried by the operator while operating the bus.
- III. Any school bus operator who should have known that his/her driver's license has expired or has been suspended or revoked and who drives a bus shall be subject to disciplinary action up to and including dismissal.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**322.57, 1001.43, 1012.45, F.S.
49 CFR 350, *et al.***

STATE BOARD OF EDUCATION RULE(S):

6A-3.0141, 6A-3.0171(1)(d)

HISTORY:

**ADOPTED: _____
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FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

RESPONSIBILITIES OF SCHOOL BUS OPERATORS

6.113*

- I. School bus operators shall be responsible for adhering to the requirements of federal laws and regulations, Florida Statutes, State Board of Education rules, driving regulations, School Board policies, District safe driver plan and the adopted District job description.
- II. Responsibilities shall include, but not be limited to, the following:
 - A. To maintain an appropriate Florida driver's license.
 - B. To refrain from driving with an expired, suspended or revoked license.
 - C. To complete annual school bus operator training.
 - D. To participate in the substance abuse testing and alcohol detection program required by 49 CFR 382 and 49 CFR 391.
 - E. To refrain from using a cellular telephone while actively driving a bus.
 - F. To maintain order and discipline on the bus.
 - G. To instruct students, teachers, and chaperones who are being transported on field and activity trips regarding the locations and proper use of school bus emergency exits prior to each trip.
 - H. To perform a complete interior inspection of the bus after each run and trip to ensure that no students remain on the bus.
 - I. To ensure that no one is on the bus while refueling.
 - J. To avoid unnecessary idling of the bus while in the vicinity of students.
 - K. To adhere to the requirements for the reduction of heavy-duty idling.
- III. Failure to fulfill the responsibilities of a school bus operator may result in disciplinary action up to and including dismissal.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 322.57, 1001.42, 1001.43, 1012.45, F.S.
49 CFR 382, 49 CFR 391

STATE BOARD OF EDUCATION RULE(S): 6A-3.0141, 6A-3.0171

DEPARTMENT OF ENVIRONMENTAL
PROTECTION RULE(S): 62-285.420

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

YEAR OF SERVICE DEFINED FOR ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

6.12*

- I. The minimum time which may be recognized as a year of service for contractual purposes shall be full time actual service rendered under contract for more than one-half (1/2) of the number of days or more than one-half (1/2) the number of total hours required for the normal contractual period of service for the position held. In determining such service, sick leave and holidays for which the employee received compensation shall be counted, but all other types of leave and holidays shall be excluded. The contractual period of service required for the position shall be determined by the number of months an employee works.
- II. Any claim to a year of service for salary purposes shall be the equivalent of the service required for a continuing, professional service, annual, or multi-year contract. Credit for service rendered in another state or as otherwise allowed under the adopted salary schedule shall be determined by using the minimum service required in the District for a comparable position and in accordance with the contract agreement between the School Board and the local education association.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1011.60, 1012.01, F.S.

HISTORY:

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FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

THE INSTRUCTIONAL STAFF

6.13*

The instructional staff shall be composed of school-based personnel, as defined in Florida Statutes, other than administrators and school support personnel. The instructional staff shall be assigned direct responsibility for the supervision, instruction, and evaluation of students in disciplines which promote individual growth and development for becoming a member of society. Instructional staff members shall hold a valid Florida Educator's Certificate or the equivalent as prescribed by Florida Statutes and State Board rules.

STATUTORY AUTHORITY: 1001.41; 1012.22; 1012.23, F.S.

LAWS IMPLEMENTED: 1001.43, 1012.01, 1012.32, 1012.39, 1012.53, 1012.54, 1012.56, 1012.57, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

TEACHING OUT-OF-FIELD

6.131

- I. The employment or assignment of out-of-field teachers may occur when a qualified and appropriately certificated teacher is unavailable. Any teacher who is employed or assigned out-of-field shall be required to satisfy the course credit requirement in State Board of Education rule if he/she is appointed in a subsequent school year(s). The deadline for earning the six (6) semester hours of college credit or equivalent in the appropriate field shall be one (1) calendar year from the date of initial appointment to the out-of-field teaching assignment.
- II. Each principal shall report to the Superintendent any teacher who is assigned to teach a subject(s) for which he or she is not properly certificated. Such reports shall be filed at the beginning of each school year or when changes occur and shall include the following information: teacher's name, the certificate area(s) on the Florida Educator Certificate, the out-of-field assignment, and the justification. The School Board minutes shall reflect such approvals.
- III. Recommendations will be given to a teacher to assist in meeting in-field certification requirements.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.42, 1012.55, 1012.57, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0503

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

NONCERTIFICATED INSTRUCTIONAL PERSONNEL

6.132*

Persons who possess expert skill in or knowledge of a particular subject or talent but who do not hold a Florida teaching certificate, constitute an invaluable community resource for the education of the students in the District. Such persons may serve as nonpaid volunteers or as a paid member of the instructional staff to render instructional service in the individual's field of specialty but shall not be required to hold a Florida teaching certificate. Policies concerning noncertificated instructional personnel shall be as follows:

I. Employment Procedures

Procedures shall be the same as those followed for certificated personnel, except that noncertificated personnel shall not be entitled to a contract as prescribed by State Board of Education Rules. The supervisor recommending the appointment must explain the circumstances that necessitate employing a noncertificated instructional person. A copy of such material shall be placed in the employee's personnel file.

II. Personnel Records

The records of noncertificated personnel shall contain the same kinds of information that would be contained in the record of a regular member of the instructional staff. In lieu of a certificate and transcripts there shall be complete, detailed and certified documentation attesting to the individual's expertise in the area for which he/she is employed. The record shall also contain a statement of the specific instructional duties assigned to be performed and evaluations of performance of such duties.

III. Salary

Noncertificated persons shall be paid according to the terms set forth in the salary schedule.

IV. Assignment, Suspension, and Dismissal

Noncertificated instructional personnel may not be assigned to any teaching duties other than those for which specifically employed. They shall remain employed only as long as the need exists. At any time during the employment of a noncertificated instructional person there is an indication that he/she is not carrying out his/her duties as assigned, he/she shall be suspended from that duty immediately and further action, including dismissal, shall be recommended by the Superintendent.

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V. Assessment of Performance

The performance of each noncertificated person shall be assessed against his/her specifically assigned duties. The supervisor recommending the appointment of these personnel shall monitor performance and provide a written evaluation at least once each school term using the teacher evaluation form.

VI. Student Welfare

Each noncertificated instructional person shall, prior to assuming his/her duties, be instructed as to his/her responsibilities in regard to the health, safety, and welfare of students. If assigned duties require knowledge of rules, regulations or policies of a special nature, the written statement of duties assigned shall include the duty to be familiar with such material.

VII. Instructional Practices and Policies

Prior to assuming their duties all noncertificated instructional personnel shall be advised of the state, District, and school policies relevant to instructional responsibilities.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.42, 1012.55, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0502

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ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

ASSISTING TEACHERS TO BECOME HIGHLY QUALIFIED

6.133+

The Superintendent shall develop procedures to assist experienced teachers to meet the highly qualified requirements of the No Child Left Behind Act under the provisions of the High, Objective, Uniform State Standard of Evaluation (HOUSSE).

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, 1012.27, 1012.42, F.S.
No Child Left Behind Act of 2001, P.L. 107-110
20 USC 7801

STATE BOARD OF EDUCATION RULE(S):

6A-1.0503

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT OF ATHLETIC COACHES WHO ARE NOT FULL TIME EMPLOYEES OF THE SCHOOL BOARD

6.14*+

(To be used only if such persons are employed in system.)

Persons who are not full time employees of the School Board and hold an athletic coaches certificate, issued by the state of Florida, may be recommended by the Superintendent and appointed by the School Board, on a contract basis, to perform designated secondary school athletic coaching responsibilities, subject to the following conditions:

- I. The principal has determined that qualified full time employees of the School Board are not available to perform these responsibilities.
- II. The contracted employment conforms to rules and regulations of the State Board of Education and the bylaws of the Florida High School Athletic Association (FHSA).
- III. The employment procedures and contracted services conform to Standards and Procedures provided by the Superintendent including, but not limited to:
 - A. Use of an approved agreement form for contracted services.
 - B. Assessment of the qualifications of such persons.
 - C. Agreement by the contracted employee to abide by the *Code of Ethics of the Education Profession in Florida*.
 - D. Evaluation of performed services to be conducted by the principal and appropriate records maintained.
- IV. An individual who is employed only as an athletic coach must hold a valid cardiopulmonary resuscitation (CPR) certificate issued by the American Heart Association or the American Red Cross and must have received training about the dangers of drug use including performance enhancing drugs.
- V. Payment for services shall be according to the approved District schedule of salary supplements for the services rendered.
- VI. The District shall attempt to ensure that community-based coaches reflect the diversity of racial, ethnic, and gender groups that the School Board believes to be important to the educational experiences of students.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 119.07, 1001.43, 1012.22, 1012.24,
1012.27, 1012.31, 1012.33,
1012.36, 1012.55, 1012.56, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-4.0282

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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EDUCATIONAL PARAPROFESSIONALS AND AIDES

6.15*

Aides and paraprofessionals are persons assigned by the School Board to assist an instructional staff member(s) in performing his/her instructional or professional duties or responsibilities. A paraprofessional has additional responsibilities consistent with the requirements of the federal No Child Left Behind Act.

- I. The conditions of employment of an aide or paraprofessional shall include the following:
 - A. An aide shall have a high school diploma or hold a high school equivalency diploma issued pursuant to State Board of Education rules.
 - B. A paraprofessional shall meet one of the following requirements:
 1. Hold an associate's or higher degree;
 2. Two (2) years of study at an institution of higher education; or
 3. A rigorous state or local assessment of knowledge of and the ability to assist in instruction in reading, writing, and mathematics or reading readiness, writing readiness, or mathematics readiness.
 - C. Be at least eighteen (18) years of age.
 - D. Present a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel and the appropriate processing fee. The fingerprints shall be acceptable for processing by the Florida Department of Law Enforcement and the Federal Bureau of Investigation. The Director of Human Resources or designee shall initiate a records check by the two (2) agencies.
 - E. A drug test shall be required of all noninstructional applicants recommended for hire and shall be administered by the Board approved testing laboratory.
- II. The principal shall ensure that the aide or paraprofessional assigned to the school possesses a clear understanding of state and District rules relating to his or her responsibilities and to the safety, welfare, and health of students. It shall be the principal and the instructional staff member's responsibility to ascertain that an aide or paraprofessional possesses the necessary knowledge about rules to perform duties of a special nature in a proper and reasonable manner.

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- III. It shall be the principal's responsibility to assure the School Board and the Superintendent that each aide or paraprofessional possesses a clear understanding of all state and District instructional practices and rules relevant to his/her responsibilities if he/she is expected to assist a teacher in promoting learning activities. When an aide is assigned duties requiring knowledge of instructional practices and policies or providing prescribed physical care for students of a specialized nature, it is the instructional staff member's responsibility to ascertain in advance whether the aide possesses the necessary knowledge and skills.
- IV. The aide or paraprofessional shall complete a period of supervised practice when assigned to a new instructional staff member or assigned a type of duty which he/she has not previously performed. The length of such supervised practice may vary depending upon previous experiences of the aide or paraprofessional. A record shall be maintained in each school to show the length, nature, and inclusive dates of each supervised practice assignment for each aide or paraprofessional.
- V. An aide or paraprofessional shall not perform any of the following:
 - A. Establish instructional objectives;
 - B. Render decisions regarding the relevancy of certain activities or procedures to achieve instructional objectives;
 - C. Make decisions regarding the appropriateness of training materials for accomplishing instructional objectives; and,
 - D. Evaluate a student's attainment of instructional objectives unless clear and objective criteria such as a specific achievement standard on an objective test are defined.
- VI. The principal and instructional staff members who are assigned aides or paraprofessional personnel shall be responsible for assigning duties which are consistent with Florida Statutes, State Board of Education rules, School Board rules, and other controlling regulations.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.32, 1012.37, F.S.
34 CFR 200

STATE BOARD OF EDUCATION RULE(S): 6A-1.070, 6B-1.006

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SUBSTITUTE TEACHERS

6.16*

- I. Each school principal is authorized to employ a substitute teacher when an instructional staff member is unable to perform assigned duties. The principal shall obtain substitute teachers from the approved list published by the Lafayette County School Board.
- II. Applicants who seek employment as substitute teachers shall meet the following minimum qualifications and provide the appropriate materials as required by the Personnel Department:
 - A. Hold a high school diploma or equivalent and a minimum of sixty (60) semester hours of credit from an accredited college or university;
 - B. Be at least eighteen (18) years of age;
 - C. Submit a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel and the appropriate processing fee to obtain a records check by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI); and,
 - D. Complete an initial orientation/training program and other training required by Florida Statutes.
- III. Lafayette County School Board shall approve applicants as substitute teachers provided their qualifications are found to be satisfactory. Applicants shall not be eligible for substitute teaching until approved.
- IV. The compensation for substitute teachers shall be for services rendered in accordance with the salary schedule adopted annually by the School Board. Provided, however, substitutes for postsecondary education programs may be hired on an hourly basis when necessary.
- V. Any member of the Florida Retirement System who has been retired for at least one (1) calendar month from any state administered retirement system may be employed as a substitute or hourly teacher on a noncontractual basis.
- VI. Substitute teachers shall hold
 - A. A valid Florida Educator's Certificate.
 - B. A valid substitute certificate/document issued by the District or another Florida school district. The substitute certificate/document shall verify satisfaction of requirements specified in section II. herein.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.32, 1012.35, 1012.36,
1012.39, 1012.55, 1012.56, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT OF NONDEGREED VOCATIONAL AND ADULT INSTRUCTIONAL PERSONNEL

6.17*+

The Superintendent is authorized to develop a procedural manual for the employment of nondegreed vocational and adult instructional personnel which is entitled *Qualifications for Employment of Nondegreed Full Time and Part-time Vocational and Part-time Adult Instructional Personnel* per Florida Statutes. These procedures shall be consistent with Florida Statutes and shall be approved by the School Board. The manual shall be published and made available to persons who are seeking employment as nondegreed vocational or adult education instructors.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.32,
1012.36, 1012.39, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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CONTRACTS FOR INSTRUCTIONAL AND ADMINISTRATIVE PERSONNEL

6.18*

Any person employed as a member of the instructional staff shall hold a valid Florida Educator's Certificate or professional license except as noted elsewhere in policy. Any person employed as an administrator shall meet those qualifications as enumerated in the Board adopted job description. All instructional and administrative staff shall be entitled to and shall enter into a written contract with the School Board as provided by law. All contracts shall be on forms prescribed by the Commissioner of Education. Any member of the instructional or administrative staff who is willfully absent from duty without leave shall forfeit compensation for the time absent, and his/her contract shall be subject to cancellation by the Board.

- I. Contracts with instructional staff - Each member of the instructional staff shall receive an annual or professional services contract in accordance with the provisions of law. The first ninety-seven (97) days of the initial contract shall be a probationary period during which the employee may be dismissed without cause. The contract shall be in accordance with the duly adopted salary schedule of the Board and shall be for a definite term of service.
- II. Contracts with administrative staff - Each member of the administrative staff on initial employment shall be given a written contract for a period not to exceed three (3) years subject to the condition that renewal of the contract from year to year will be based on an annual review of the services rendered and renewed only when acceptable and satisfactory service has been rendered. The first ninety-seven (97) days of the initial contract shall be a probationary period during which the employee may be dismissed without cause.

When the administrative staff member has rendered three (3) years of satisfactory and acceptable service, the School Board may enter into a contract for a fixed period of time not to exceed three (3) years. Any further renewal of the contract shall be based on a review and evaluation made during the last year of the contract and any additional contract shall be for a period of time not to exceed three (3) years.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 120.57, 1001.41, 1012.22,
1012.32, 1012.34, 1012.56, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0502, 6A-1.064

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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CERTIFICATION OF ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

6.19*

No person shall be employed or continued in employment if he/she does not hold or is ineligible to hold a Florida Educator's Certificate, a local certificate, or a certificate issued by a Florida school district that has a reciprocal agreement with the School District or holds a professional license. However, a person may be employed under emergency conditions, pursuant to Florida Statutes, or may qualify as noncertificated instructional personnel pursuant to School Board rule. The staff member shall be responsible for maintaining a valid certificate. The staff member shall register his/her certificate and each certificate reissuance or renewal in the District office as soon as the Department of Education issues the new validity period on the certificate.

- I. The Superintendent shall designate a certification contact person to work directly with the Bureau of Educator Certification, Florida Department of Education, to assist personnel with certification issues.
- II. An individual nominated for an instructional position shall be properly certificated, be eligible for certification, meet conditions prescribed in State Board of Education rules or qualify for employment or re-employment as a nondegreed vocational education or adult education teacher based on School Board rule.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1011.60, 1012.24,
1012.54, 1012.55, 1012.56,
1012.57, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-1.0501, 6A-1.0502, 6A-1.0503

HISTORY:

**ADOPTED: _____
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FORMERLY:**

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DISTRICT CERTIFICATES

6.191*

- I. The School Board authorizes issuance of School District Certificates to substitute teachers and full time nondegreed vocational education teachers. Nondegreed vocational instructional personnel are those whose qualifications are established on the basis of occupational expertise in areas of agriculture, business, health occupations, home economics, industrial, marketing and public service education and who are assigned to teach only vocational courses when the course code directory specifies nondegreed vocational instructors are appropriate. Each certificate shall bear an effective date of July 1 of the school fiscal year for which it is issued and shall expire on June 30.
- II. The following types of Full Time Certificates shall be issued at the nondegreed vocational level:
 - A. Nondegreed instructional personnel will be issued a three (3) year Temporary Certificate upon receipt of fingerprint clearance from the Florida Department of Law Enforcement (FDLE) and Federal Bureau of Investigation (FBI).
 - B. A five (5) year Professional Certificate will be issued when all requirements have been completed as specified for a Professional Services Contract.
 - C. To re-issue a valid Professional Certificate, official transcripts must be filed with the appropriate renewal form showing six (6) semester hours of college credit which includes three (3) semester hours specific to each area on the certificate. One hundred twenty (120) inservice points shall be considered equivalent.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.32, 1012.39, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0502

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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LEAVE OF ABSENCE

6.20*+

- I. Leave of Absence - A leave of absence is permission granted by the School Board or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Return to employment is contingent upon a position being available. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority. No leave, except military leave, will be granted for a period in excess of one (1) year. Leave may be with or without pay as provided by law, regulations of the State Board and these rules. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the annual employment period.
- II. The Superintendent shall develop procedures to implement leave provisions.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, 1012.61,
1012.63, 1012.64, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.080

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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LEAVE APPLICATION

6.21*

An application for leave shall be in writing and on the form prescribed by the School Board and shall be directed to the School Board. The principal or supervisor, or other person under the direct supervision of the Superintendent, shall submit any leave application directly to the Superintendent. Leave granted for a school year or for the remaining part thereof will expire at the end of the school year or school fiscal year for which such leave is granted.

A District employee having leave for the year or for the remaining part thereof, who plans to return to duty the next school fiscal year, shall send a copy of such notice to the administrative supervisor by March 1 of that fiscal year. Return to employment is contingent upon an open position being available.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.66, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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APPROVAL OF LEAVES

6.211*

All requests for leave shall be submitted on the proper form and shall be approved either by the School Board or the Superintendent as provided herein.

- I. The following types of leave require approval of the School Board:
 - A. Extended Health Leave or Disability Leave including Maternity Leave
 - B. Military Leave in excess of seventeen (17) days
 - C. Personal Leave in excess of six (6) days
 - D. Illness-or-Injury-in-Line-of-Duty Leave
 - E. Leave to seek political office
 - F. Professional Leave in excess of six (6) days
 - G. Sabbatical Leave
 - H. Family and Medical Leave
- II. The Superintendent is authorized to grant the following types of leave:
 - A. Sick Leave
 - B. Personal Leave not in excess of six (6) days
 - C. Annual Leave
 - D. Professional Leave not to exceed six (6) days
 - E. Jury Duty assignment
 - F. Military Leave not to exceed seventeen (17) days
 - G. Witness Duty absence
 - H. Temporary Duty

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.61,
1012.63, 1012.64, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.080, 6A-1.081, 6A-1.082

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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EFFECTIVE DATE FOR LEAVE, SUSPENSION, OR TERMINATION

6.212*

The effective date of any employment termination or unpaid leave of absence shall be the first day on which a School Board employee is not paid unless otherwise provided herein. The effective date of any suspension or paid leave of absence shall be the first day on which a School Board employee does not work. The following provisions apply to paid benefits for a holiday(s):

- I. An employee who terminates employment and does not work on the first day following a holiday(s) shall not receive pay for the holiday(s). The termination date shall be considered the last work day on which the employee is paid prior to the holiday(s).
- II. An employee to earn holiday pay may not be on an uncompensated leave either the day before or day after the holiday.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1011.60, 1012.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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NOTIFICATION OF ABSENCE

6.213*

- I. The principal shall notify and submit the appropriate leave form to the Superintendent when he/she plans to be away from school for a half-day or longer. The principal shall designate a responsible member of the administrative or instructional staff to be in charge during his/her absence. Where possible, the name of the person to be in charge of the school when the principal is absent shall be submitted to the Superintendent each year prior to the close of the preschool conference.
- II. An employee who is absent from duty for any reason shall notify the principal or his/her immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.
- III. In an extreme emergency, the principal may authorize the absence of an employee without pay for a period not to exceed two (2) days; provided, such authorized absence is immediately reported to the Superintendent.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22,
1012.66, 1012.67, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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RESIGNATIONS

6.214

- I. Any administrative or instructional staff member who wishes to resign shall submit his/her resignation in writing addressed to the School Board. The letter of resignation shall state the reasons for the resignation and the desired effective date. The resignation of any administrative or instructional staff member shall be sent to and countersigned by the person's administrative supervisor who shall forward the resignation to the Superintendent for presentation to the School Board. No resignation shall become effective until accepted by the School Board.
 - A. The resignation of an administrative or instructional staff member may be accepted during the contractual period of service; provided that an acceptable reason is given and a qualified and satisfactory replacement is available. Any resignation for an ensuing school year shall be accepted without question if submitted prior to June 20 of the current school year.
 - B. All resignations shall be processed through the Superintendent's office.
 - C. An employee who violates the terms of an employment agreement or written contract by leaving his/her position without first being released from the agreement or contract by the School Board shall be subject to the jurisdiction of the Education Practices Commission. When this occurs, the Superintendent shall be responsible for notifying the Commissioner of Education about the School Board's action of declaring the position as abandoned and vacant.
- II. A noninstructional employee who wishes to resign shall submit his/her resignation in writing addressed to the School Board on the prescribed resignation form. Whenever possible, two (2) weeks prior notice shall be given. The letter of resignation shall state the reason for the resignation and the desired effective date. A resignation of an employee shall be sent to and countersigned by his/her immediate administrative supervisor. The resignation shall be submitted to the School Board at its next regular or special meeting. No resignation shall become effective until accepted by the School Board; the School Board may refuse to accept any resignation for cause.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.23,
1012.33, 1012.34, 1012.795, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:

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RETIREMENT OF EMPLOYEES

6.215

Any employee who plans to retire shall concurrently submit his/her resignation to the School Board and his/her application to the retirement system for retirement benefits. Employees are encouraged to submit the resignation and application form at least ninety (90) days in advance of the retirement date to ensure the retirement check is issued the month following the last month of service with the School Board.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.23, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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ABSENCE WITHOUT LEAVE

6.22*

- I. Administrative and Instructional - Any member of the administrative or instructional staff who is willfully absent from duty without leave shall forfeit compensation for the time of the absence and the employee's contract shall be subject to cancellation by the School Board. In addition, such absence without leave shall interrupt continuity of service.
- II. Noninstructional - Any other employee who is willfully absent from duty without leave shall be subject to dismissal from employment and shall forfeit compensation for the time of the absence.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.33,
1012.66, 1012.67, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PERSONAL LEAVE

6.23*

- I. Personal Leave Chargeable to Sick Leave - Employees may be allowed six (6) days paid leave for personal reasons each year to be charged against accrued sick leave. Such leave shall be non-cumulative and any request for such leave shall be approved, in advance, by the Superintendent or his/her designee.
- II. Unpaid Personal Leave - Employees shall make written application for such leave without compensation. Personal leave shall terminate at the end of the contractual period. Personal leave may be granted at the discretion of the School Board as hereinafter provided:
 - A. Family Leave - Any employee of the Board, who fills a regularly established position, will be granted family leave without pay provided a written application for leave accompanied by a statement verifying the pregnancy is submitted. Such leave shall not exceed the balance of the school fiscal year in which the child is born.
 - B. Parental Leave - Any employee of the Board, who fills a regularly established position, may be granted parental leave for a period of one (1) year for the purpose of child-rearing.
 1. An employee who has parented a child may apply for parental leave for a period not to exceed the balance of the school fiscal year in which the child is born and one (1) succeeding year subject to appropriate notice.
 2. An employee may apply for a leave of absence on the event of his/her adoption of a child, provided such leave shall not exceed the balance of the school fiscal year in which such adoption shall occur and the next succeeding year, and provided a written application for such leave is submitted to the employee's immediate supervisor within two (2) calendar weeks after approval for adoption by the recognized agency or source.
 3. In all instances herein where a leave of absence shall extend beyond one (1) school fiscal year, re-application shall be made in accordance with the rules of the Board.
 - C. Leave Related to Domestic or Sexual Violence
 1. An employee who has been employed by the District for at least three calendar months, may request and shall be granted up to three days of unpaid personal leave within a twelve month period if he/she has been a victim of domestic or sexual violence or if a

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family or house hold member has been a victim of domestic or sexual violence.

2. The leave must be used for one or more of the following purposes:
 - a. To seek an injunction for protection against domestic violence or for protection in cases of repeat violence, dating violence or sexual violence;
 - b. To obtain medical care and/or mental health counseling for the employee or a family or household member;
 - c. To obtain services from a victim-services organization;
 - d. To obtain the employee's home secure from the perpetrator or to seek new housing; and/or
 - e. To seek legal assistance related to the violence.
3. All records related to such leave will be considered confidential.
4. This leave shall be noncumulative and shall be requested in advance except in the case of an emergency.
5. If an employee elects to be on paid leave, he/she may request personal leave chargeable to sick leave provided that the employee is eligible to be on such leave or he/she may request annual (vacation) leave provided that the employee accrues annual leave and has an annual leave balance.

D. Leave for political campaigning - An employee who has filed for election to a political office and who desires personal leave for political reasons shall file an application for leave. The School Board may grant such personal leave without pay for a period not to exceed thirty (30) calendar days prior to the election.

E. Each extended leave-without-pay request shall be considered on its own merit by the School Board. Return from leave is contingent on there being a vacant position in the system which the employee is qualified to fill. Requests for extended leave to take another position for salary shall be denied unless there are extenuating circumstances that are acceptable to the Board.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 741.313, 1001.43, 1012.62, 1012.66 F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SICK LEAVE

6.24*

- I. Personnel employed on a full time basis shall be entitled to earn one (1) day of sick leave per month of employment. Such leave shall be cumulative from year to year, and any leave charged against accrued sick leave shall be with full compensation. Sick leave shall be credited as follows:
 - A. Administrative and noninstructional personnel - Such full time employees shall be credited with four (4) days of sick leave at the end of the first month of employment of each contract year and shall thereafter be credited for one (1) day of sick leave for each month of employment.
 - B. Instructional personnel - Such full time employees shall be entitled to four (4) days of sick leave as of the first day of employment of each current year, and thereafter is credited for one (1) day of sick leave at the end of each month of employment.
 - C. The total number of sick leave days earned shall be no more than one (1) day of sick leave times the number of months of employment during the year of employment, or four (4) days whichever is greater.
 - D. Sick leave shall not be used prior to the time it is earned.
- II. Accrued sick leave shall be taken only when the employee's service is interrupted by temporary disability which renders him/her incapable of performing his/her duties, or because of the illness or death of his/her father, mother, brother, sister, husband, wife, child, other close relative, or member of his/her own household. The term *temporary disability* as used herein shall include personal illness or injury and, in addition any temporary disability of the employee arising out of pregnancy, childbirth, miscarriage, abortion, or recovery therefrom which renders the employee physically incapable of performing assigned duties.
- III. Any claim for sick leave shall be filed with the Superintendent, or his/her designee, within five (5) working days upon return of the employee to duty.
 - A. The claim shall be in writing and shall set forth the days absent and that such absence was allowable under the provisions of Florida Statutes. The claim shall be duly signed by the claimant certifying that the facts are true and correct and that the claim is valid and legal.
 - B. Where there is any doubt as to the validity of a sick leave claim, the Superintendent may require the claimant to file a written certification of illness from a licensed physician or other supporting evidence where

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personal illness is not involved. Consequences of false claims for sick leave are as follows:

1. Administrative and instructional personnel - A false claim for sick leave shall be deemed cause for cancellation of the contract and for action seeking the revocation of the teaching contract.
 2. Noninstructional personnel - A false claim for sick leave shall be deemed grounds for termination of the employee.
- IV. An employee who has used all accrued sick leave but who is otherwise entitled to sick leave shall be granted sick leave without pay. The claim for such sick leave shall clearly state that the leave is without compensation. An application for sick leave due to extended illness shall have attached to it a statement from a practicing physician certifying that such leave is essential and indicating the probable duration of the illness and the needed leave.
- V. When an employee of the School District interrupts service and subsequently returns to duty in the District without having transferred his/her sick leave credit to another Florida School District, such accrued sick leave credit shall become valid on the first (1st) day of contractual service.
- VI. When an employee retires and receives terminal pay benefits based on unused sick leave, all unused sick leave credit shall become immediately invalid.
- VII. An employee may transfer sick leave earned in a similar capacity with another Florida School District to the District. However, no transferred leave shall be credited to an employee's account at a rate, or in an amount exceeding that earned while an employee of the District School Board. The employee is responsible for the request for transfer of sick leave.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1012.61, 1012.62,
1012.66, F.S.**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

ILLNESS-OR-INJURY-IN-LINE-OF-DUTY LEAVE

6.241

- I. Any full time regular employee shall be entitled to illness-or-injury-in-line-of-duty leave for a period not to exceed ten (10) school days when he/she has to be absent from work because of a personal injury received in the discharge of his/her duties or because of illness from any contagious or infectious disease contracted in the performance of his/her duties. Illness-in-line-of-duty leave is intended to deal with the illnesses normally known as childhood diseases; such as, mumps, measles, and chicken pox. This leave does not include normal adult illnesses such as colds and influenza. This leave is noncumulative.
- II. In order to be considered for injury-in-line-of-duty leave, the following conditions shall be met:
 - A. The employee must provide written testimony or evidence that his/her injury was received in the line of duty.
 - B. The employee must supply a letter from a medical doctor, who treated the patient, stating that in his/her opinion there is a strong probability that the illness was contracted at the work site.
 - C. The employee must file a written claim as outlined below.
- III. The employee who has claim for compensation while absent because of injury or illness incurred as prescribed herein shall file a claim in the manner prescribed by law by the end of the school month during which the absence has occurred.

The Board may approve such claims and authorize the payment in accordance with the provisions of law.
- IV. Leave for any employee, as prescribed by law, shall be authorized for a total not to exceed ten (10) work days during any school fiscal year for an illness contracted or any injury sustained in the line of duty, or a total of ten (10) days for the same illness or injury. The employee granted such leave is entitled to full pay status for a period not to exceed ten (10) working days. If the employee is unable to resume work at the end of a ten (10) work day period, he/she may elect to use accrued sick leave and receive salary payments.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, 1012.63, 1012.66, 1012.69, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.080

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

FAMILY AND MEDICAL LEAVE

6.242*

- I. In compliance with the Family and Medical Leave Act of 1993, full time school employees are entitled to take up to twelve (12) weeks unpaid leave a year for the following reasons:
 - A. The birth of the employee's child;
 - B. The placement of a child with the employee for adoption or foster care;
 - C. To care for the employee's spouse, child or parent who has a serious health condition;
 - D. A serious health condition rendering the employee unable to perform his/her job, or
 - E. Any qualifying exigency that arises because the spouse, son, daughter or parent of an employee is on active duty or has been notified of an impending call or order to active duty as a member of the National Guard or Reserve or a retired member of the Regular Armed Forces or Reserve in support of a contingency operation.
- II. An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to a total of twenty-six (26) weeks of leave during a twelve (12) month period to care for the service member. This leave is available only during a single twelve (12) month period.
- III. During the single twelve (12) month period described in section II., an eligible employee is entitled to a combined total of twenty-six (26) weeks of leave under the provisions of sections I. and II. This does not limit the availability of leave under section I. during any other twelve (12) month period.
- IV. Employees are to provide at least thirty (30) days notice, if possible, of their intention to take leave. Medical certification that the leave is needed is required for the employee's own serious health condition or that of a family member. The School Board will continue the employee's health insurance under the same conditions as if the employee were working. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.66, F.S.
THE FAMILY AND MEDICAL LEAVE ACT OF 1993,
PART 825 OF THE CODE OF FEDERAL REGULATIONS,
TITLE 29, U.S. DEPARTMENT OF LABOR,
EMPLOYMENT STANDARDS ADMINISTRATION,
WAGE AND HOUR DIVISION

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

MILITARY LEAVE

6.25*

- I. Military leave shall be granted to an employee who is required to serve in the armed forces of the United States or of the state of Florida in fulfillment of obligations incurred under the Selective Service Laws or because of membership in the reserves of the armed forces or the National Guard. When an employee enters voluntarily into any branch of the armed forces for temporary or an extended period of service, military leave shall be granted at the School Board's discretion. Provided, however, an employee whose absence will interfere with the orderly operation of the school program shall be denied military leave except in unusual cases.
- II. An employee granted military leave for extended active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice; provided that an application for re-employment is filed within six (6) months following the discharge date or release from active military duty. Following receipt of the application for re-employment, the School Board shall have a reasonable time, not to exceed six (6) months, to assign the employee to duty in the same or similar position he/she left in the District.
- III. Compensation allowed during military leave shall not exceed seventeen (17) days except as provided in Section 115.07, Florida Statutes.
- IV. An employee who enters active military service shall be governed by the provisions of Sections 115.07, 115.14, 121.111, and 250.341, Florida Statutes.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 115.07, 115.09, 115.14, 121.111, 250.341, 1001.43, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.080

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 6.00 – HUMAN RESOURCES

JURY - WITNESS DUTY

6.26*

- I. An employee of the Board who is summoned as a member of a jury panel may be granted temporary duty leave. Any jury fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.
- II. An employee who is subpoenaed as a witness, not involving personal litigation, may be granted temporary leave. Any witness fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.
 - A. When an employee is subpoenaed in line of duty to represent the Board as a witness or defendant, he/she may be granted temporary duty leave, since his/her appearance in such cases shall be considered a part of his/her job assignment. The employee may retain any fees received from the court. In the event no fees are received from the court, he/she may be paid per diem and travel expenses.
 - B. In no case shall temporary duty leave with pay be granted for court attendance when an employee is engaged in personal litigation. In such cases, an employee may request personal leave.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

40.24, 40.271, 1001.43, 1012.66, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL LEAVE

6.27*

Professional leave may be granted to an administrative or instructional staff member with or without pay in accordance with the following provisions:

The Superintendent is authorized to grant professional leave for six (6) days or less for administrative or instructional staff with pay. Professional leave over six (6) days requires the School Board approval and may be with or without pay. Professional leave may be granted, but not limited to, going back to college/training.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.081

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 6.00 – HUMAN RESOURCES

ANNUAL/VACATION LEAVE

6.28*

The following schedule shall be used in determining the accrual of annual leave.

- I. Employees on twelve (12) month contracts shall accrue annual leave, exclusive of holidays, with compensation as follows:
 - A. One (1) day per month cumulative to twelve (12) days per year for less than five (5) years of continuous service in the District.
 - B. One and one-quarter ($1\frac{1}{4}$) days per month cumulative to fifteen (15) days per year for five (5) or more years of continuous service in the District.
 - C. One and one-half ($1\frac{1}{2}$) days per month cumulative to eighteen (18) days per year for ten (10) or more years of continuous service in the District.
 - D. One and three-quarter ($1\frac{3}{4}$) days per month cumulative to twenty-one (21) days per year for fifteen (15) or more years of continuous service in the District.
- II. Annual leave shall accrue at the close of each month and shall not be accrued to exceed thirty (30) working days. Employees shall be encouraged to use accrued annual leave on an annual basis.
- III. Annual leave may be granted by the Superintendent or designee upon the written application of the employee and with the prior approval of the employee's immediate supervisor. Annual leave shall be scheduled for minimum disruption of the school program.
- IV. An employee shall be entitled to annual leave if he/she works on a part-time basis and in excess of one-half ($\frac{1}{2}$) the hours or days required before a full time position, but less than the total hours required for a full time employee.
- V. Annual leave shall not be granted until the employee has rendered at least three (3) months of acceptable service in the District.
- VI. Accrued annual leave may be used in lieu of other types of leave with the Superintendent's approval.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.62, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.082

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

TEMPORARY DUTY

6.29*

- I. An employee may be assigned to be temporarily away from his/her regular duties and place of employment for the purpose of performing other educational services, including participation in surveys, professional meetings, study courses, workshops and similar services of direct benefit to the School District. Such assignment may be initiated by the Superintendent or by the individual who desires the temporary duty as days of duty.
- II. The Superintendent shall determine the length of time an employee shall be assigned temporary duty.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.32, 1001.43, 1012.27, 1012.66, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

SALARY SCHEDULES

6.30*

- I. All personnel shall be paid in accordance with salary schedules as adopted by the School Board.
- II. Salary schedules shall include provisions for differentiated pay in accordance with Florida Statutes and may include provisions for performance based pay.
- III. Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1938, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) at the rate of one and one-half (1½) times the regular rate of pay for the service performed or shall be provided compensatory time.
- IV. Any employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1011.60, 1012.22, 1012.55, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.052

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

TERMINAL SICK LEAVE PAY

6.31

- I. Any regular, full time employee, or his/.her beneficiary if service is terminated by death, shall be entitled to payment of accumulated sick leave at the time of termination of employment or retirement. The School Board shall provide terminal pay for accumulated sick leave to any employee of the District. When termination of employment is by the employee's death, any terminal pay to which the employee may have been entitled may be paid to his/her beneficiary. To be entitled to terminal pay benefits, the employee shall have been under contract to render services and shall not be under suspension from duty or have any charges pending which may have resulted in dismissal from employment. Such terminal pay shall be provided in accordance with 1012.61, F.S., and/or collective bargaining agreement.
- II. Full time employees who are not classified as instructional staff or educational support employees as defined by law shall be eligible for terminal sick leave payment at the time of normal retirement as follows:
 - A. Terminal pay from sick leave accrued prior to July 1, 2004 shall be paid at the daily base rate of pay at the time of retirement.
 - B. Terminal pay for sick leave accrued after June 30, 2004 shall be paid at the base rate of pay at the time it was earned.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.61, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

ANNUAL PAYMENT OF SICK LEAVE

6.32

Employees may receive an annual payment for accumulated sick leave for up to XX days. (Note: # of days cannot exceed # of days earned in the year) Payment shall be made at the request of the employee and shall be based on the employee's daily base rate of pay multiplied by XX percent (XX %) (Note: maximum of 80%) Days for which such payment is received shall be deducted from the accumulated sick leave balance.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.61, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

NOTE: If a district adopts an annual leave payment policy, the potential amount to be paid may be considered a financial liability.

CHAPTER 6.00 – HUMAN RESOURCES

HEALTH INSURANCE PREMIUMS

6.321

- I. The School Board may pay an employee's normal health insurance contribution as provided herein.
 - A. The health insurance premium for one (1) month may be paid when an employee enters a nonpay leave status. The employee shall be provided an opportunity to continue the total health insurance payment, after the School Board's one (1) month contribution, for a period not to exceed twelve (12) months while on nonpay leave status.
 - B. The health insurance premium may be paid when an employee enters a nonpay leave status involving a workers' compensation claim. The normal contribution shall be paid until the employee is released to return to work or a settlement is reached in the worker's compensation case through regular channels.
 - C. Any employee who is on unpaid sick leave or unpaid approved family leave will receive up to a maximum of twelve (12) weeks of Board portion of health insurance per insurance fiscal year. This rule is in compliance with the Family and Medical Leave Act of 1993. Twelve (12) weeks will equal six cumulative Board portions which will occur when missing six (6) paychecks with Board portions.
- II. A School Board member or employee who is a Florida resident and a member of the Florida National Guard or a reserve in any branch of the United States military and who is called into active military duty is entitled to health insurance pursuant to the provisions and conditions prescribed in Section 250.341, Florida Statutes.
- III. The School Board shall not pay the contribution for dependents who are included in the employee's health insurance premium. This contribution shall be paid by the employee.
- IV. Retired School Board personnel and their eligible dependents may continue to participate in the current group health insurance program of the District provided the person enrolls immediately upon retirement from active employment with the School Board and continues coverage without interruption. Retirement shall mean application for and receipt of retirement benefits under any Florida Retirement System plan. The health insurance coverage shall be identical to that offered to School Board employees. Health insurance premiums for continued participation shall be paid by the retiree.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 112.0801, 250.341, 1001.43, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

TERMINAL ANNUAL (VACATION) LEAVE PAY

6.33

A staff member who is employed on a regular full time basis for twelve (12) calendar months may be entitled to a lump-sum payment for his/her accrued vacation leave upon termination of employment, transfer to less than a twelve (12) month position within the District, or normal retirement. Normal retirement as used herein means retirement with either full or reduced benefits as provided by Florida Statutes. In the case of an employee's death, his/her beneficiary shall be entitled to the lump-sum payment of the accrued vacation leave.

- I. The employee may choose to receive a lump-sum terminal payment of accrued vacation leave with the final salary warrant, or extend his/her employment status through the last day of accrued vacation leave, or to receive payment when entering the Deferred Retirement Option Program (DROP).
- II. Payment shall not exceed a maximum of XX days. (Note: maximum allowed by law is 60 days of actual payment)
- III. For unused annual leave accumulated before July 1, 2001, terminal payment shall be made as follows: (Insert policy in effect on June 30, 2001.)
- IV. Payment shall be the daily rate of pay at the time of termination, transfer, retirement, or death.
- V. The employee shall have been employed by the District at the time of termination, retirement or death.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.65, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

UTILIZATION OF SICK LEAVE

6.34

Full time employees who are not classified as instructional staff or educational support employees as defined by law shall utilize accumulated sick leave as follows:

- I. Sick leave accumulated prior to July 1, 2004 shall be carried forward for terminal pay in accordance with Policy 6.31.
- II. Effective July 1, 2004, the first days earned after this date shall be the first days utilized for sick leave purposes.
- III. Sick leave accumulated prior to July 1, 2004 shall be used only when all sick leave earned after June 30, 2004 has been exhausted.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

SICK LEAVE BANK

6.35

The sick leave bank is administered through the contract between the Lafayette County School Board and the Lafayette Education Association.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.052

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

USE OF SICK LEAVE BY FAMILY MEMBERS

6.36*

- I. Any District employee may authorize the use of his/her accrued sick leave as follows:
 - A. As provided by any existing Sick Leave Bank provision.
 - B. Up to (insert # of days) by his/her spouse, child, parent, or sibling who is also a District employee.
- II. Sick Leave donated as provided in I.B. cannot be used until all of the individual's sick leave has been depleted, excluding sick leave from any existing Sick Leave Bank, if the recipient participates in a Sick Leave Bank.
- III. Donated sick leave shall have no terminal pay value.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.61, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL ETHICS

6.37

- I. An effective educational program requires the services of personnel of integrity, high ideals, and human understanding. All employees shall be expected to maintain and promote these qualities. The Board shall also expect all administrative, instructional and support staff members to adhere to the Code of Ethics of the Education Professional in Florida and the Principles of Professional Conduct for the Education Profession in Florida.
- II. Administrative and instructional personnel as defined by Florida Statute, shall be required to complete training on these ethical standards. All other employees shall be encouraged to participate in training related to professional ethics.
- S
III. All employees shall be responsible for reporting misconduct by School Board employees that affects the health, safety or welfare of a student.

STATUTORY AUTHORITY:

1001.41, 1012.42, F.S.

LAW(S) IMPLEMENTED: 112.313, 1001.42, 1012.01, 1012.22, 1012.27, 1012.796, F.S.

STATE BOARD OF EDUCATION RULE:

6B-1.001, 6B-1006

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

REPORT OF MISCONDUCT

6.39

The School District of Lafayette County shall adhere to all requirements related to employee misconduct that affects the health, safety or welfare of a student.

I. Mandatory Reporting of Misconduct

It is the duty of all employees to report to the Superintendent alleged misconduct by any School Board employee that affects the health, safety or welfare of a student. Failure of an employee to report such misconduct shall result in disciplinary action.

II. Investigation

The Superintendent shall immediately investigate any allegation of misconduct by an employee that affects the health, safety or welfare of a student.

A. An employee who is alleged to have committed such misconduct shall be reassigned to a position not requiring direct contact with students pending the outcome of the investigation.

B. Information related to the alleged misconduct shall be considered confidential during the investigation.

C. The Superintendent shall report alleged misconduct to the Department of Education as required by Florida Statutes.

III. Legally Sufficient Complaint

The Superintendent shall file any legally sufficient complaint with the Department of Education within thirty (30) days after the date the District became aware of the subject matter of the complaint. A complaint is considered to be legally sufficient if it contains ultimate facts that show that an instructional or administrative employee has committed a violation as provided in 1012.795, F.S., and defined by State Board of Education rule.

IV. Resignation or Retirement in Lieu of Termination

If an instructional or administrative employee resigns or retires in lieu of termination for misconduct that affects the health, safety or welfare of a student, the Superintendent shall report the misconduct to the Department of Education as required.

V. Employment Reference

A representative of the School District shall not provide an employment reference or discuss the performance of an employee with a prospective employer in an educational setting without disclosing the person's misconduct that affected the health, safety or welfare of a student. A District official shall not enter into any confidentiality agreement regarding

terminated or dismissed personnel or personnel who resigned or retired in lieu of termination.

VI. Notification

The policies and procedures for reporting alleged misconduct by employees that affects the health, safety or welfare of a student shall be posted in a prominent place at each school and on each school's website. The notice shall include the name of the person to whom the report is made and the consequences for misconduct.

VII. Protection from Liability

A. Any individual who reports in good faith any act of child abuse, abandonment or neglect to the Department of Children and Family Services or any law enforcement agency shall be immune from any civil or criminal liability that might result from such action.

B. An employer who discloses information about a current or former employee to a prospective employer, at the employee's request or at the prospective employer's request, shall be immune from civil liability for such disclosure as provided by Florida Statute.

VIII. False or Incorrect Report

The Superintendent, a Board member or any District official shall not sign and/or transmit any report regarding employee misconduct to a state official that he/she knows to be false or incorrect. An individual who knowingly makes a false or incorrect report shall be subject to disciplinary action as prescribed by Florida Statute.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 39.203, 112.313, 768.095, 1001.42, 1012.01, 1012.22, 1012.27, 1012.795, 1012.796, F.S.

STATE BOARD OF EDUCATION RULE:

6B-1.001, 6B-1006

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

VIOLATION OF LOCAL, STATE AND/OR FEDERAL LAWS

6.40

- I. Anyone known to be violating a local, state, and/or federal law on School Board property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to Florida Statutes and School Board rules.
- II. Any employee in violation of the reporting requirements of this policy may be subject to disciplinary action by the Superintendent or Board up to or including dismissal.
- III. As required by the provisions of State Board of Education Rule 6B-1.006(5) *The Principles of Professional Conduct of the Education Profession in Florida*, and Florida Statutes, professional employees and noninstructional and contractual personnel who have direct contact with students or who have access to or control of funds are required to self-report within forty-eight (48) hours to the Superintendent any arrests or charges involving the abuse of a child, the sale and/or possession of a controlled substance or any disqualifying offense. Such notice shall not be considered an admission of guilt, nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, self-reporting shall also be required for any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or *nolo contendere* for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment.
- IV. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585 and 943.059, Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**887.13, 943.0585, 943.059, 1001.41, 1001.43,
1006.145, 1012.22, 1012.27, 1012.465, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6B-1.006(5)

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

CONFLICT OF INTEREST IN PURCHASING

6.401

- I. No employee of the District shall on behalf of the District either directly or indirectly purchase, rent, or lease any realty, goods, or services from any business entity of which the employee or the employee's spouse or child has a material interest. No business in which an employee holds ownership or material interest shall provide either directly or indirectly purchase, rent, or lease any realty, goods, or services to the District, subject to Florida Statutes and provisions herein.
- II. This policy is not intended to prohibit the School Board from authorizing purchases or other related activities from or with a business or individual related to an employee who provides an acceptable bid or quote for such services or goods and, when all other conditions are equal or comparable. This policy does not prohibit reimbursements to employees for purchases made in connection with their employment.
- III. Any employee who is found to have violated the provisions of this policy shall be subject to the provisions of policy 6.30.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

112.313, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6B-1.006(5)

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

RECORDS AND REPORTS

6.42*

All School Board employees shall faithfully and accurately maintain records and file reports as may be required by Florida Statutes, State Board of Education rules, and School Board rules, or as the Superintendent may deem necessary for the effective administration of the District school system. Such records shall include student attendance, property inventory, personnel, school funds and other types of information. Reports shall be submitted on forms prescribed for such purposes at designated intervals or on specified dates. All such reports shall be filed by the designated time. The Superintendent may withhold any salary warrants until the required report is submitted in acceptable form. School Board employees who resign shall receive the final salary warrant when all reports are current and officially checked.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, 1012.53, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

TELEPHONE CALLS, ELECTRONIC COMMUNICATIONS AND FACSIMILES

6.44+

District communication equipment shall be used for designated purposes and shall not be used for personal or nonschool purposes.

- I. An employee shall not make a personal long distance call or send a facsimile or other electronic transmission at School Board expense. Only in an emergency shall an employ be allowed to make a personal long distance call or send a facsimile and the employee shall be required to pay for the call or facsimile.
- II. All long distance telephone calls, facsimiles, or other electronic transmissions that relate to extracurricular activities of the school, including athletics, shall be paid from the school's internal funds collected for the specific activity.
- III. Prior authorization for all long distance calls and facsimiles shall be given by the principal or District department head.
- IV. Employee use of District cell telephones shall be to the extent possible, limited to business use only. The District shall be reimbursed for any personal calls made by the employee. Procedures for implementing this provision shall be developed.
- V. Any long distance telephone call made by a School Board member which is charged to the District office shall be paid by the School Board, provided the purpose of the call was to conduct School Board business.
- VI. The principal or District department head shall review telephone and facsimile bills and shall refer excessive or questionable bills to the Superintendent or designee for consideration.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: _____

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ALCOHOL AND DRUG-FREE WORKPLACE

6.45

- I. No employee shall possess, consume or sell alcoholic beverages or be under the influence of alcohol on the job or in the workplace.
- II. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of, on the job or in the workplace, any narcotic, drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act (21 USC 812) and as further defined by regulations at 21 CFR 1300 or Florida Statutes, Chapter 893, without a valid prescription.
- III. The appropriate use of legally prescribed drugs and nonprescription medication is not prohibited. However, it is the employee's responsibility to inform the physician of the employee's job duties and to ask the prescribing physician to determine whether or not the prescribed drug may impair the employee's job performance. It is the employee's responsibility to remove himself/herself from service if unfit for duty.
- IV. An employee in a safety sensitive position must obtain a written release from the prescribing physician if he/she has prescribed any substance that carries a warning label indicating that mental functioning, motor skills or judgment may be adversely affected. The release must state that the employee is able to perform safety sensitive functions.
- V. *Workplace* is defined as the site for the performance of work done in connection with the duties of an employee of the School Board. That term includes any place where the work of the School District is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; or any off-school property during a school-sponsored or school-approved activity, event or function, such as a field trip, workshop or athletic event.
- VI. As a condition of employment, each employee will
 - A. Abide by the terms of this policy, and
 - B. Notify the Superintendent of any criminal drug statute arrest or conviction for a violation occurring on the premises of the School Board, at the workplace, or during the conduct of any official activity related to the School Board within forty-eight (48) hours. Identified employees must be in compliance with Policy 6.40, sections II and III.

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VII. The School Board shall

- A.** Notify the appropriate agency within ten (10) days after receiving such notice from an employee or otherwise receiving actual notice of such conviction; and
- B.** Take one of the following actions, within thirty (30) days of receiving such notice, with respect to any employee who is so convicted:
 - 1.** Require such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; or
 - 2.** If the employee fails to participate satisfactorily in such program, the employee may be nonrenewed or his or her employment may be suspended or terminated, at the discretion of the School Board; or
 - 3.** Take appropriate personnel action against such an employee, up to and including termination.
- C.** Offer assistance and information on drug abuse in order to maintain an alcohol and a drug-free workplace. Employee assistance will be available through the personnel department and the Employee Assistance Program. The School Board shall also conduct periodic workshops on drug and alcohol abuse in the workplace to inform employees and supervisors of the dangers of substance abuse and of the provisions in this policy.

STATUTORY AUTHORITY: **893.01, 1001.41, 1012.22, 1012.23, 1012.27, F.S.**

LAW(S) IMPLEMENTED: **1001.41, 1001.43, 1012.795, F.S.
DRUG FREE WORKPLACE ACT OF 1988,
34 CFR PART 85, SUBPART F**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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POLITICAL ACTIVITIES OF EMPLOYEES

6.46

- I. School Board employees shall not solicit support of any political candidate, partisan or nonpartisan, during regular work hours.
- II. A School Board employee who offers himself/herself as a candidate for public office shall notify the Superintendent immediately upon qualifying for election. He/she shall conduct his/her campaign so as not to interfere with his/her responsibilities.
 - A. Personal leave without pay may be taken during the campaign period.
 - B. Such candidate shall adhere strictly to Florida Statutes governing political activity on the part of public officials and public employees.
 - C. A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or School Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

104.31, 106.15, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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GRIEVANCE PROCEDURE FOR PERSONNEL

6.50*

Whenever an employee or applicant feels that he or she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees not covered by a collective bargaining complaint procedure, can resort to the more formal procedures as provided herein. If the collective bargaining agreement is silent on an issue this procedure may be used by the employee.

I. Definitions

- A. *Complaint* shall mean any dispute or disagreement involving the interpretation or application of any existing Board rule or practice. It does not include disputes involving the interpretation or application of a collective bargaining agreement, or any provision thereof. Such disputes must be resolved through the grievance procedure in the bargaining agreement.
- B. *Complainant* shall mean any employee, or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.
- C. *Employer* shall mean the School Board or its representatives.
- D. *Day* shall mean a working day.

II. Time Limits - The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

III. Released Time - The complaint procedure will normally be carried out during nonwork time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.

IV. Complaint Procedure

- A. Informal Discussion - If an employee believes there is a basis for complaint, he or she shall discuss the complaint with his or her immediate supervisor (except in cases of discrimination or harassment allegations involving the supervisor, in which case they shall report to the Equity Coordinator) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which sixty (60) days will be allowed.

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- B. Level One - If the complainant is not satisfied with the informal resolution he or she may, within ten (10) days, file a formal complaint on the proper form and deliver it to his or her immediate supervisor or alternate. The Supervisor or alternate shall communicate his or her answer in writing to the complainant within ten (10) days after receipt of the complaint. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.
- C. Level Two - If the complainant is not satisfied with the resolution at level one he or she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. Within ten (10) days of receipt of the complaint the Superintendent shall indicate his or her disposition in writing to the complainant.
- D. Board Appeal - If the complainant is not satisfied with the resolution by the Superintendent, he or she shall have the right to appeal the Superintendent's decision to the School Board; provided request for placement on Board agenda is filed within ten (10) days.
- V. Confidentiality and protection from retaliation will be provided to the extent possible to any employee, student, applicant or affected party who alleges discrimination or harassment.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**447.401, 1001.41, 1001.49,
1012.22, 1012.27, F.S.**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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COMPLAINTS AGAINST EMPLOYEES

6.51*+

- I. Anyone who has a complaint about a District employee may submit his/her complaint to the Superintendent, an Assistant Superintendent, appropriate Director, or another administrator. The complainant must identify himself/herself and submit the complaint in writing if possible. The administrator will take written notes of the specific information and investigate or forward to another appropriate administrator for investigation.
- II. It is the duty of all employees to report to the Superintendent alleged misconduct by any School Board employee that affects the health, safety or welfare of a student as required by Florida Statute and School Board policy.
- III. The Superintendent or designee shall report to the Department of Education legally sufficient complaints within thirty (30) calendar days after the date on which the complaint comes to the attention of the School District.
- IV. The Superintendent shall develop procedures to comply with the reporting requirements for legally sufficient complaints.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1012.22, 1012.796, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SUSPENSION AND DISMISSAL

6.52

- I. No employee may be suspended from duty except by the Superintendent or the School Board. The Superintendent may suspend a member of the staff during an emergency for a period extending to and including the next meeting of the School Board or in accordance with the provisions of policy 6.53.
- II. In the case of a suspension without pay by the School Board, an affected employee shall be entitled to a hearing on the charges as to why he/she should be suspended without pay. Said hearing shall be upon reasonable notice by the School Board.
- III. If any dismissal proceeding in which the substantial interest of the employee is affected, or in which the employee has a property interest, the employee shall be entitled to a hearing on the merits of the case in accordance with the provisions of Chapter 120, Administrative Procedure Act.
- IV. In the event an employee is entitled to a hearing, the Superintendent shall notify the affected employee in writing of his/her right to a hearing at the time a petition for suspension or dismissal is filed. The petition for suspension or dismissal must set forth the charges against the employee and shall further notify the employee that in the event a written request for a hearing is not received by the Superintendent within ten (10) days after receipt of said notice, that the employee waives his/her right to a hearing. In the event no such notice is sent by the Superintendent, the employee shall be deemed to have requested a hearing.
- V. In the event a hearing is required as prescribed by law, pursuant to this policy, a written notice of hearing shall be furnished to the employee in a timely manner according to law stating the date, place and time of the hearing.
- VI. No member of the staff may be dismissed except by action of the School Board.
- VII. Dismissal during the term of a contract of a staff member shall be for cause. Such dismissal shall include:
 - A. For an employee holding a continuing contract or its equivalent
 1. Immorality;
 2. Misconduct in office;
 3. Incompetency;
 4. Gross insubordination;

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5. Willful neglect of duty;
 6. Drunkenness;
 7. Conviction of any crime involving moral turpitude; or,
 8. Other actions which substantially impair the effectiveness of the employee.
- B. For an instructional employee holding a professional service contract or permanent status
1. Misconduct in office;
 2. Incompetency;
 3. Gross insubordination;
 4. Willful neglect of duty;
 5. Conviction of a crime involving moral turpitude; or,
 6. Other actions which substantially impair the effectiveness of the employee.
- C. For an employee holding an annual or multi-year contract
1. Immorality;
 2. Misconduct in office;
 3. Incompetency;
 4. Gross insubordination;
 5. Willful neglect of duty;
 6. Drunkenness;
 7. Conviction of a crime involving moral turpitude; or,
 8. Other actions which substantially impair the effectiveness of the employee.

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- D. For an employee holding an annual contract or its equivalent
 - 1. Misconduct in office;
 - 2. Incompetency;
 - 3. Gross insubordination;
 - 4. Willful neglect of duty;
 - 5. Conviction of a crime involving moral turpitude; or,
 - 6. Other actions which substantially impair the effectiveness of the employee.
- E. Other actions which substantially impair the effectiveness of any employee include but are not limited to the following:
 - 1. Inappropriate sexual conduct including, but not limited to lewd and lascivious behavior, indecent exposure, solicitation of prostitution, sexual battery, possession or sale of pornography involving minors or sexual relations with a student;
 - 2. Possession, sale, use or being under the influence of controlled substances;
 - 3. Committing or conviction* of a criminal act (felony);
 - 4. Committing or conviction* of a criminal act (misdemeanor);
 - 5. Possession of guns or weapons on School Board property;
 - 6. Alcohol related offenses;
 - 7. Driving under the influence of alcohol;
 - 8. Misuse of corporal punishment or inappropriate method of discipline;
 - 9. Falsification or alteration of employment paperwork, district forms or documents or certification;
 - 10. Incompetence;

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11. Using position for personal gain;
12. Harassment or discrimination of a student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, disability, sexual orientation or social and family background;
13. Harassment or discrimination which interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive or oppressive environment;
14. Inappropriate or disparaging remarks to or about students or exposing a student to unnecessary embarrassment or disparagement;
15. Inappropriate relationship with a student;
16. Inappropriate interactions with colleagues including, but not limited to physical or verbal altercation;
17. Misappropriation of funds or theft of personal property;
18. Excessive absenteeism or tardiness;
19. Absence without leave (AWOL) or abandonment of job;
20. Failure to correct performance deficiencies;
21. Insubordination, which is defined as a continuing or intentional failure to obey a direct order, reasonable in nature, and given by and with proper authority;
22. Misconduct or misconduct in office;
23. Unauthorized use, theft or vandalism of School Board property.
24. Failure to comply with School Board policy, state law, or appropriate contractual agreement;
25. Safe Driver Plan (Transportation Department only); or
26. Smoking on School Board property.

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*Conviction is defined as a finding of guilt, a plea of guilty, a plea of *nolo contendere* or entering a pre-trial intervention program, whether or not there is a formal adjudication of guilt.

- F. Failure to include a particular act or type of conduct does not preclude the Board from disciplining an employee for such omitted act or conduct if it otherwise constitutes one of the grounds listed in Section 1012.33, F.S., or other Florida Statutes.
- VIII. The Superintendent or designee shall be authorized to investigate and take action on a complaint against a person who has an expired Florida Educator's Certificate and has committed an act during the validity period of this certificate. Pursuant to Florida Statutes, all legally sufficient complaints shall be filed within thirty (30) days of said complaint that is brought to the Superintendent's attention.
- IX. The Superintendent shall notify the Florida Department of Education of instructional personnel who have received two (2) consecutive unsatisfactory annual evaluations and have been given written notice and intent that his/her employment is being terminated or nonrenewed.
- X. Nonrenewal of employees during their probationary period or upon expiration of a time-limited contract shall not be considered dismissal and shall not be subject to this policy.
- XI. Any provision in the Collective Bargaining Agreement which is contrary shall supersede this policy.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: CHAPTER 120, 790.115, 1001.43, 1012.22,
1012.27, 1012.33, 1012.795, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-4.009

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SUSPENSION WITH PARTIAL OR NO PAY

6.53

The School Board hereby delegates authority of employee suspension with partial or no pay to the Superintendent in order to facilitate personnel management, to maintain an orderly and productive work environment, to avoid public embarrassment to employees, and to eliminate minor disciplinary action from the School Board's agenda.

- I. The suspension shall not exceed five (5) days.
- II. The suspension may be wholly or partially without pay.
- III. Suspension shall be authorized only if the Superintendent finds that the employee has
 - A. Been absent without leave;
 - B. Been insubordinate;
 - C. Endangered the health or well-being of a fellow employee or of a student(s);
 - D. Willfully neglected duty;
 - E. Consumed an alcoholic beverage while working; or,
 - F. Violated School Board rules to the extent that disciplinary action is required, but the violation is not severe enough for dismissal.
- IV. An employee who is suspended under the authority of this rule shall be granted all due process rights accorded by the Florida Statutes.
- V. This rule grants the Superintendent authority in addition to that provided by Florida Statutes. It shall not be construed to limit the Superintendent's statutory powers.

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STATUTORY AUTHORITY: 1001.43, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22,
1012.27, 1012.33, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-4.009

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:

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STAFF TRAINING

6.60

- I. The School Board recognizes that proper training of employees and volunteers is essential to maintaining a safe, effective and efficient workforce. State mandates, federal requirements, and local conditions require that certain training be required for all employees and other training of selected employees, depending upon their work assignments.
- II. The Superintendent is to provide appropriate training to all employees and volunteers of the District.
- III. Training for employees should minimally include
 - A. Identifying and reporting child abuse and neglect;
 - B. All nondiscrimination provisions;
 - C. Sexual harassment guidelines;
 - D. Handling hazardous materials and toxic substances including bloodborne pathogens, chemicals, and petroleum products;
 - E. District policies and procedures related to HIV/AIDS disease, communicable diseases, alcohol and drug free facilities, use of tobacco products, possession of weapons, and *Code of Student Conduct*, and,
 - F. Other topics as deemed appropriate by the Superintendent or required by law, rule, or other governing provision.
- IV. Annually provide the Board a report of the type training provided employees and volunteers.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, 1013.12, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.27,
1012.38, 1012.98, 1012.985, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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WHISTLEBLOWER PROTECTION

6.65

- I. This policy shall be known as the Whistleblower Protection Policy.
- II. Definitions
 - A. *Employee* – Any person hired by the School Board after completing the personnel procedures required by the School Board.
 - B. *Independent Contractor* – Any person or company other than a School Board employee, who provides goods and/or services to the School Board and enters into a contractual agreement with the School Board.
 - C. *Adverse personnel action* – Discharge, suspension, transfer, demotion, reprimand, warning, withholding or reduction of salary or benefits of employee, or any other adverse action taken against an employee within the terms and conditions of employment by the School Board; or debarment, suspension, cancellation of contract of an independent contractor.
- III. Prohibited Action
 - A. Neither the School Board, Superintendent, department heads nor principals shall take or recommend to the School Board to take adverse personnel actions against an employee for disclosing information pursuant to the provisions of this policy.
 - B. Neither the Superintendent nor the School Board shall take any adverse personnel action that affects the rights or interests of an independent contractor in retaliation for the contractor's disclosure of the information under this policy.
 - C. The provisions of this policy shall not be applicable when an employee or independent contractor discloses information known to be false.
- IV. Disclosure of Information
 - A. The information disclosed under this section shall include reporting of any violation or suspected violation of federal, state or local laws, School Board policy or administrative directive by a School Board member, employee, or independent contractor which presents a substantial and specific danger to interests of the School Board. Additionally, information disclosed, which indicates acts or suspected acts of malfeasance,

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misfeasance, gross waste of funds or neglect of duty committed by an agency, shall be included.

- B. The information shall be disclosed to the appropriate entity having the authority to investigate, police, manage, or otherwise remedy the violation or act.

V. Protection

- A. This policy protects employees and other persons who disclose information on their own motive in a written and signed complaint, or who are requested to participate in an investigation, hearing or other inquiry conducted by the Superintendent, School Board, state agency or federal government.
- B. Any employee who is subject to adverse personnel action has a right to file a grievance pursuant to the applicable collective bargaining agreement or School Board policy. An independent contractor may appeal to the School Board for administrative review.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

112.3187, 1001.32, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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NAME AND ADDRESS OF EMPLOYEE

6.75

- I. Any employee who changes his/her name or address shall notify the human resources department within ten (10) days after a change of name or address.
- II. Any employee who is required to have a Florida Educator Certificate or other license or certificate shall maintain the license or certificate in his/her legal name.
- III. Any employee who is a certificated educator is responsible for maintaining his/her current name and address with the Department of Education. The Department of Education shall be notified in writing or electronically of any changes of name and/or address.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.561, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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SOCIAL SECURITY NUMBERS

6.78*

I. Collection

- A. Social security numbers shall be collected only when allowed by law or when necessary for the performance of the school system's duties.
- B. The district shall collect the social security number of each applicant and employee for the following reasons: Identification and verification, benefit processing, data collection, tax reporting and criminal background checks.
- C. The district may also use the social security number for search process.

II. Notification

The District shall notify each applicant and employee of the reasons for which his/her social security number may be collected.

III. Review

The Superintendent shall review the collection of social security numbers to ensure that the reasons for collection and the process for collection and maintenance are consistent with Florida Statutes. The Superintendent shall report his/her findings as required by law.

IV. Confidentiality

A social security number shall be considered confidential and exempt from public inspection in accordance with Florida Statutes. Social security numbers may be disclosed to another agency or governmental entity if it is necessary for the receiving entity to perform its responsibilities.

V. Release to Commercial Entities

- A. Social security numbers may be released to a commercial entity as allowed by law. The commercial entity must state the reason for requesting the social security numbers.
- B. The District, as required by law, shall annually report the identity of all commercial entities that have requested social security numbers during the preceding year and the reasons for the requests. If no requests have been received during the preceding year, the District shall report that information.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1012.22, 1012.796, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PERSONNEL FILES

6.80

The term *personnel file*, as used in this rule, shall mean all records, information, data, or materials maintained by the District in any form or retrieval system whatsoever, with respect to any employee, which is uniquely applicable to that employee.

- I. A personnel record shall be maintained by the Superintendent on each employee. The record shall include
 - A. Application for employment
 - B. References
 - C. Annual evaluations
 - D. Letters of commendation, reprimand, etc.
 - E. Data substantiating placement on the salary schedule (education, official transcripts, experience, etc.)
 - F. Teaching certificate, if applicable
 - G. Any other pertinent data.
- II. Except for materials pertaining to work performance or other matters that may be cause for discipline, suspension or dismissal under laws of this state, no derogatory materials relating to an employee's conduct, service, character, or personality shall be placed in the personnel file of such employee. No anonymous letter or anonymous materials shall be placed in the personnel file.
- III. Materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.
 - A. No such materials may be placed in a personnel file unless they have been reduced to writing within forty-five (45) days, exclusive of the summer vacation period, of the administration becoming aware of the facts reflected in the materials.
 - B. Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify as needed. A copy of such materials to be added to an employee's personnel file shall be provided to the employee either by certified mail or by personal delivery.

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- C. The employee's signature on a copy of materials to be filed in the employee's personnel file signifies receipt and does not necessarily indicate agreement with its content. The employee will be afforded due process rights as outlined in Florida Statutes.
- IV. Personnel files, regardless of their location in the school system, are open to inspection pursuant to Chapter 119, Florida Statutes, except as follows:
 - A. Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential until the conclusion of the preliminary investigation, or until such time as the preliminary investigation ceases to be active as defined in Florida Statutes.
 - B. Employee evaluations prepared pursuant to Florida Statutes, rules adopted by the State Board of Education, or a local School Board shall be confidential until the end of the school year immediately following the school year during which each evaluation is made. No evaluations prepared prior to July 1, 1983, shall be made public.
 - C. No material derogatory to the employee shall be open to inspection until ten (10) days after the employee has been notified pursuant to III.B of this rule.
 - D. The payroll deduction records of the employee shall be confidential.
 - E. Employee medical records, including medical claims, psychiatric and psychological records, shall be confidential; provided however, at any hearing relative to an employee's competency or performance, the hearing officer or panel shall have access to such records.
 - F. Any information in a report of injury or illness filed pursuant to Florida Statute that would identify an ill or injured employee.
- V. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be open to inspection at all times by School Board members, the Superintendent and the principal or their respective designees, in the exercise of their respective duties.
- VI. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

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STATUTORY AUTHORITY: 1001.43, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 112.08(7), 1001.43, 1012.31, F. S.
34 CFR 99 (FERPA), 45 CFR 164 (HIPAA)

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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ASSESSMENT OF EMPLOYEES

6.81

The Superintendent shall develop or select personnel performance assessment systems for all staff.

Each member of the staff shall receive an annual evaluation by his/her immediate administrative supervisor. The purpose of the evaluation shall be to improve the services of personnel in all departments. The administrative supervisors and department heads shall use the evaluation form provided by the Superintendent.

- I. A copy of each employee's evaluation report shall be filed in the District personnel office.
- II. The assessment of all employees shall be based on observations of the individual's work by his/her immediate supervisor and shall be made at least once each year prior to reappointment.
- III. The Superintendent shall arrange for the assessment of all principals, supervisors and administrative personnel as required by law.
- IV. The principal and/or administrator supervising personnel shall arrange for the assessment of all employees under his/her supervision as required by law.
- V. Prior to preparing the written report of the assessment, the individual being assessed shall be informed as to the criteria and the procedure to be used.
- VI. The written report of the assessment shall be reviewed with the employee and discussed with him/her by the person who made the assessment.
- VII. An employee may respond to an assessment in the manner provided by law or other approved procedures.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1008.36, 1012.22,
1012.27, 1012.34, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

INSTRUCTIONAL EMPLOYEE PERFORMANCE CRITERIA

6.811*

The Superintendent or designee shall develop and present, for School Board approval, instructional employee performance criteria and/or measures. Such performance criteria and/or measures shall be consistent with statutory requirements, but may include additional elements as deemed appropriate.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1008.36, 1012.22,
1012.27, 1012.34, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

SCHOOL BOARD EMPLOYEES WITH HIV, AIDS OR OTHER COMMUNICABLE DISEASES

6.90

- I. It is the School Board's intent to protect employees and students from exposure to infectious diseases and from risk occasioned by infectious diseases and to provide reasonable accommodations to infected School Board employees.
- II. Policy 3.20 contains procedures related to employees and students.
- III. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need-to-know.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 381.0098, 1001.43, 1012.27,
1012.61, 1012.66, F.S.

STATE DEPARTMENT OF HEALTH RULE(S): 64E-16

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 6.00 – HUMAN RESOURCES

AIDS, BLOODBORNE PATHOGENS AND ENVIRONMENTAL HAZARDS

6.91+

The Board shall adopt appropriate procedures and guidelines consistent with federal and state regulations regarding the training and methods of handling and ameliorating the potential risks of exposure to bloodborne pathogens, other communicable diseases, and environmental hazards, such as asbestos, lead in drinking water, and radon gas.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 381.0098, 1001.43, 1012.27, 1013.12, F.S.

STATE DEPARTMENT OF HEALTH RULE(S): 64E-16

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL BUDGET SYSTEM

7.01

Through the budget process the School Board intends for its budget to be prepared in a needs responsive, fiscally sound manner, with an emphasis on providing additional resources at the school level with any increase in recurring operating revenues.

In accordance with this philosophy, the School Board intends the following guidelines to be adhered to in the preparation of the annual operating budget:

- I. Balanced Budget – The budget should be prepared to ensure that the operating fund recurring revenue budget for the fiscal year shall be equal to or greater than the recurring expenditure budget.
- II. Fund Balance Reserve – An adequate fund balance reserve is necessary to cover unforeseen events (including, but not limited to, revenue shortfalls and student enrollment under projections). The adopted annual operating fund budget shall include, if feasible, a fund balance reserve which is at least three percent (3%) of the recurring expenditure budget.
- III. The budget system shall be related to the goals and objectives of the District and its programs. To assure equity among schools and program elements, personnel and other resources shall be allocated to the schools on a formula basis or by other means as determined by the Board.
- IV. The Superintendent shall prepare an annual District budget in the form prescribed by the Commissioner of Education. In formulating the budget, the Superintendent shall take into consideration the immediate and long range needs of the District's school system and student achievement data obtained pursuant to Florida Statutes. The Superintendent shall submit the proposed annual budget to the School Board for review.

It is the Board's intent that the guidelines enumerated above shall be controlling unless unusual circumstances dictate otherwise. In such instances, any variances from the guidelines will be highlighted and explained prior to the adoption of the budget by the Board.

CHAPTER 7.00 - BUSINESS SERVICES

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1008.385, 1010.01,
1010.04, 1011.01 –1011.18, F.S.

STATE BOARD OF EDUCATION RULES: 6A-1.002, 6A-1.004, 6A-1.006,
6A-1.007, 6A-1.0071

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

EDUCATIONAL ENHANCEMENT FUNDS

7.011*

- I. Lottery Trust Fund Allocations (enhancement funds) received from state proceeds will be used to provide educational opportunities based on the needs of students, as determined by the School Board and consistent with proviso language included in the annual state appropriations bill or other state requirements.
- II. Enhancement funds may be utilized to
 - A. Maintain approved programs.
 - B. Develop and implement school improvement plans.
 - C. Supplement school funding through the expansion of existing programs.
 - D. Enhance equipment or facilities as permitted by state law.
 - E. Provide financial awards for School Recognition.
 - F. Provide such other service or programs as may be required or permitted by state law or regulations. Such services or programs shall be identified during the annual budget adoption process by the Board.
- III. Enhancement funds provided directly to schools shall be subject to annual audit to assure compliance with state law and sound business practice.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1011.62, F.S.
ANNUAL STATE APPROPRIATIONS ACT

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

PROCEDURES FOR ADMINISTERING THE DISTRICT BUDGET	7.02
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The Superintendent shall ensure that all District obligations and expenditures are within the appropriation allowed in the District school budget.

- I. The Superintendent shall propose a budget amendment for the School Board's consideration if a budgetary appropriation is insufficient to meet District needs. No obligation in excess of the original appropriation shall be made until the School Board has officially adopted a budget amendment.
- II. The Superintendent is authorized to tentatively approve budget amendments for school budgets. Such amendments shall be consolidated each month and presented for School Board approval.
- III. The School Board authorizes an expenditure which exceeds the amount budgeted by object, provided the amount is within the budgeted amount of the object's function and the School Board subsequently approves the expenditure and amends the budget at its next scheduled meeting.

STATUTORY AUTHORITY: **1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **1001.42, 1001.43, 1001.51, 1010.01, 1010.04, 1011.05, 1011.06, 1011.07, 1011.60, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.006, 6A-1.007**

HISTORY: **ADOPTED: _____**
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

FACSIMILE SIGNATURE

7.021

- I. The facsimile signature of the School Board Chairperson and the Superintendent may be affixed to warrants provided an affidavit has been filed in accordance with Section 116.34(3), Florida Statutes.
- II. The Vice-chairperson of the School Board shall have no authority to sign warrants or school documents except when he/she is required to assume the duties of the chairperson. In which case, he/she shall be legally empowered to sign such warrants and other legal documents as the chairperson would be empowered to sign but, the Vice-chairperson may not use a facsimile signature.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

116.34, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0421

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

LEASE AND LEASE-PURCHASE OF LAND, FACILITIES AND EQUIPMENT

7.03

The Superintendent shall make recommendations to the School Board regarding any offer received from a person or entity for the lease or lease-purchase of any land owned by the District.

- I. The lessee shall state in writing how the land will be used for educational purposes.
- II. The Superintendent's recommendation shall include
 - A. The location and description of the land and its present use;
 - B. The long-range plan for its use;
 - C. The stated use of the land by the prospective lessee;
 - D. The fair market value of the parcel, as determined pursuant to State Board of Education rules, when the land is to be released by a lease to purchase agreement;
 - E. The terms and value to be received from the prospective lessee.
- III. Prior to final action on the proposal for a lease or lease-purchase agreement, the School Board shall hold an open and public hearing on the issue after due notice is given as required by Florida Statutes. At this meeting the proposed agreement, in its final form, shall be made available for inspection and review by the public.

The Superintendent may recommend the acquisition of land, facilities, and equipment under lease or lease-purchase agreements under provision of Section 1013.15, Florida Statutes through competitive bids or proposals.

- IV. The Superintendent's recommendation shall include
 - A. Such acquisition is in the best interest of the District;
 - B. Length and terms of such agreements;
 - C. Procedures for developing and approval of agreements;
 - D. Estimated annual costs and sources of funding;

CHAPTER 7.00 - BUSINESS SERVICES

- E. Proposed schedule for any required public advertisements and hearings;
- F. All required written documents necessary for the execution and maintenance of agreements;
- G. Agreements do not constitute a debt, liability, or obligation of the State or Board, or pledge the faith and credit of the State or Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1013.15, 1013.19, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

BONDED PERSONNEL

7.04*

Each Board member, the Superintendent and any employee of the School Board who is responsible for school funds or property shall be placed under a bond or insured in an amount to be determined by the School Board as provided in State Board of Education rules.

STATUTORY AUTHORITY: 112.08, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.08, 1001.43, 1010.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0692

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

INTERNAL FUNDS

7.05*

- I. Definition - *Internal funds* are defined as all monies collected and disbursed by personnel within a school for the benefit of the school or a school-sponsored activity. Internal funds shall be considered as unbudgeted public funds under the control and supervision of the School Board with the principal having responsibility as prescribed by the School Board.
- II. Governance Provisions - The collecting and expending of school internal accounts shall be in accordance with Florida Statutes, State Board of Education rules, School Board rules, and the Financial and Program Cost Accounting and Reporting for Florida Schools manual published by the Florida Department of Education. Sound business practices shall be observed in all transactions.
- III. Accounting Categories - Separate accounting categories for school internal account funds shall be established to distinguish regular sources of funds from sources of funds derived from groups other than the student body.
 - A. Regular sources of funds shall be a category for money received and expended for school activity programs. This includes, but is not limited to, athletic and music events, concession sales, fund-raising by student body groups, gifts and contributions, paid admissions to entertainment, publications, school stores, summer programs, vending machines, salvage drives, property deposits, instructional aids, and advertisements.
 - B. Other sources of funds shall be a category for money collected from sources other than student activities. These sources generally are derived from cooperative efforts with schools involving non-student organizations such as the faculty, parent-teacher organizations, alumni associations, and educational foundations. The activities of these non-student organizations shall contribute to the general welfare of students.

Other sources of receipts may include, but are not limited to, collections for the School Board, flower and gift funds, and trust accounts for specific groups.
- IV. Basic Principles
 - A. All fund-raising projects and activities of the school, by any group within, connected with, or in the name of the school shall contribute to the educational experiences of students and shall not conflict with the total instructional program of the school system.

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- B. School activity funds shall be used to supplement the program supporting the activities provided by the School Board.
 - C. Purchases which are made from internal funds shall conform with requirements for purchasing and securing bids on purchases made by the School Board, except that purchases made from funds handled in trust for individuals are exempt from such requirements.
 - D. Student body business practices shall be conducted in such a manner as to offer a minimum of competition to commercial firms.
 - E. Purchases for any school shall not exceed the cash resources of the school during any school year.
 - F. Funds collected generally shall be expended to benefit those students currently in school for whom the funds were accrued; funds derived from the student body as a whole shall be expended to benefit the student body as a whole.
 - G. Florida Statutes and State Board of Education rules controlling purchases by school organizations shall be observed.
 - H. The Superintendent shall be responsible for initiating such disciplinary action as may be deemed necessary in the event of violations of any of these rules.
 - I. The collection of monies and the performance of other noninstructional duties by teachers shall be kept to a minimum.
- V. Responsibilities
- A. The School Board shall
 - 1. Require that its written rules relating to internal funds be enforced;
 - 2. Provide fidelity bonds for employees responsible for such funds; and,
 - 3. Provide for an annual audit of internal funds by a qualified auditor.
 - B. The Superintendent shall administer all rules established by the School Board relating to internal funds.

CHAPTER 7.00 - BUSINESS SERVICES

- C. Each school principal shall
 - 1. Be held accountable for the handling of all phases of internal funds accounting in his/her school.
 - 2. Use a uniform system of accounting as directed by the Superintendent; and,
 - 3. Make monthly and annual reports for internal funds as directed by the Superintendent.
- VI. Management of School Internal Account Funds (MSIAF) - The efficient and accurate accounting of school internal account funds requires that sound procedures be followed in handling school monies received and expended. Common practices which shall be followed to ensure effective management of these funds include:
 - A. The principal of each school shall authorize one (1) or more persons, in addition to himself/herself, for signing checks to withdraw funds from the bank account. Two (2) signatures shall be required for all withdrawals, one (1) of which shall be that of the principal. Persons signing checks shall provide proper supporting evidence such as sales slips or invoices to substantiate each check.
 - B. School activity accounts shall not be used for any purpose which represents an accommodation, loan, or credit to School Board employees or other persons, including students. Collections received shall not be used to cash individual checks. School Board employees or others shall not make purchases for personal use through the student body in order to take advantage of student body purchasing privileges, such as tax exemptions, school discounts, and the like.
 - C. Methods of preserving and destroying records shall be in accordance with Florida Statutes and State Board of Education rules.
 - D. Revenues which may be credited to classes and club accounts include: dues, assessments, and donations from members; income from entertainment, dances, parties, etc.; and, sale of club or class sweaters, emblems, insignias, cards, announcements, etc. Authorization for expenditures shall require approval of a designated class or club officer, the sponsor, and the principal.
 - 1. No class or club account may be overdrawn at the end of the school year.

CHAPTER 7.00 - BUSINESS SERVICES

2. No off-campus clubs may be permitted to carry accounts on school activity account books.
 3. Any remaining balance in a class account after graduation of that class and after the class has had an opportunity to determine the disposition of the balance, shall be considered as general funds and shall be transferred to the general fund six (6) months after the graduation date. The same procedure shall apply to the fund balance of any club six (6) months after the close of the school year during which said club becomes inactive.
- E. Any gifts identified as coming exclusively from a particular student group(s) shall be financed entirely by those group(s). This shall not prevent a class or club from contributing toward a project undertaken by several classes or clubs or by the student body. All such gifts to the school shall first receive the principal's approval. A student organization, upon the principal's approval, may earmark an amount for a specific future project which may reasonably be expected to materialize within the period that members of the organization are still in attendance at school. Disbursements from these reserves are subject to the standard procedures governing school activity funds. The reserve account, once approved and established, shall not be drawn on for other purposes. If the original purpose for the reserve becomes inoperative, funds in the account shall be transferred to the general fund or returned to the sponsoring organization.
- F. Commissions earned from photography sales and other transactions shall be credited to the general fund or other designated accounts. Contracts and collections of monies from these types of activities shall comply with the provisions established by the principal.
- G. The following procedures shall guide all employees who are responsible for school activity funds:
1. Receipts shall be deposited daily, one hundred percent (100%) intact.
 2. Receipts shall be written for all money that is received or collected.
 3. No money shall be kept in the school overnight except authorized petty cash.

CHAPTER 7.00 - BUSINESS SERVICES

4. Funds collected during late afternoon or evening activities shall be placed in a night depository as arranged by the principal. Sponsors or any other individuals shall not be expected to have the responsibility of protecting funds, but shall place such funds in a night depository. Under no circumstances shall such funds be left on the school premises. Any employee who fails to turn in funds each day shall be held liable for any loss.
- VII. Investment of School Internal Funds - The school principal shall provide for the investment of any school internal funds which are surplus or not needed immediately for expenditure. Such investments may be placed in savings accounts of banks or savings and loan institutions, certificates of deposits issued by banks, United States Government securities, or any other guaranteed in total by United States government securities.
- VIII. Financial Transactions and Records - Complete and accurate records of all financial transaction, including records of all school and student activity funds, shall be kept by the principal on forms furnished by the School Board. The principal's monthly financial report on internal accounts shall be made promptly for each calendar month. The September report shall include all activity relating to those accounts for the period from July 1 through September 30. The monthly report shall be due by the tenth (10th) of the following month and shall be delinquent after the fifteenth (15th) of such month.
- IX. Retention of Financial Records - Records which are maintained as part of school internal funds and public records under Florida Statutes may not be destroyed or otherwise disposed of without specific authorization. All requests for disposition of school internal fund records after completion of an audit shall be referred to the Supervisor of Management Information Services. Records shall not be destroyed without written authorization.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1011.07, 1011.18, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.001, 6A-1.085, 6A-1.087, 6A-1.091

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL FOOD SERVICE FUNDS

7.06*+

School food service funds shall be considered part of the District School Fund and shall be subject to all requirements applicable to the District School Fund such as budgeting, accounting, reporting, and purchasing.

- I. Daily deposits of school food service funds shall be made by authorized personnel in a bank(s) designated by the School Board.
- II. Revenue from the sale of all items handled by the Food Service Department shall be considered school food service income. This includes income from sale of cans, bottles, jars, rice bags, swill, and similar items. Such funds shall not be expended as cash.
- III. All payments from school food service funds shall be made by check or wire transfer.
- IV. School food service funds shall be used only to pay regular operating costs.
- V. Any loss of records, cash, or supplies through theft or otherwise shall be reported immediately to the Superintendent's office. Such losses shall be itemized and a copy of the report submitted with the regular reports.
- VI. Funds shall be collected and expended in compliance with United States Department of Agriculture regulations.
- VII. The Board shall annually adopt prices charged to students and adults who participate in the food services program.
- VIII. The Superintendent shall develop written procedures for conducting the District's food services program.

CHAPTER 7.00 - BUSINESS SERVICES

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.06, 1010.05, 1010.20, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.001, 6A-1.085,
6A-1.087, 6A-1.091, 6A-7.0411

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

ACCOUNTING AND CONTROL PROCEDURES

7.07*+

- I. The financial records and accounts of the School Board shall be kept by the Superintendent on forms prescribed by State Board of Education rules. If such forms are not prescribed by State Board of Education rules or Florida Statutes, a uniform system shall be established by the School Board.
- II. The Superintendent shall submit to the School Board a financial statement for each month of the school fiscal year. The format of the statement shall be approved by the School Board and shall include a cumulative report to date of all receipts and expenditures for the school fiscal year.
- III. The Superintendent shall develop and the School Board approve procedures under which any funds under their control are allowed to be transmitted by electronic transaction.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

215.85, CHAPTER 668, 1001.43, 1001.51,
1010.11, 1011.60, 1011.62, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.001

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

INVENTORIES AND PROPERTY RECORDS

7.08*

The Superintendent or designee shall maintain an adequate and accurate record of all tangible personal property of the District. The record shall indicate the date of acquisition, the fund from which purchased, identification number, and property record number, and shall be consistent with all requirements of Florida Statutes and the rules of the Auditor General. School inventories shall be verified by the District administration at the Superintendent's direction.

- I. All tangible property shall be listed that has a value or cost as established by Florida Statutes or State Board of Education rules. The principal shall notify the District office of all removals, transfers, and receipt of donated or purchased property that meets criteria for being recorded as a fixed asset in order to update records and new equipment.
- II. Property inventories shall be performed annually. It shall be each principal's duty to designate a person to make an annual inventory of all school property within his/her building(s). This report shall include recommendations for the disposition of obsolete and surplus equipment and equipment beyond economical repair. Such inventory shall be filed with the District office either at the time designated in writing by the property control officer or at the time of any principal's resignation.
- III. Any incoming principal and the property control officer shall make an inventory of all school equipment when the new principal assumes the duties of the position. This inventory shall be checked against the last inventory made at the school and a report shall be filed with the District office to identify any shortages or discrepancies.
- IV. The principal shall also be responsible for taking inventories of properties not covered in section I. herein such as student furniture, library books, films and tapes, and other materials as deemed appropriate. These inventory records, shall remain on file in the individual school.
- V. The Superintendent shall prescribe the procedures for the accountability of property as defined in Florida Statutes.
- VI. All equipment purchased by the various District organizations or by outside organizations for District use shall become School Board property and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.
- VII. The principal shall keep an inventory of all equipment in his/her school on forms provided by the property control officer.

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- VIII. The Superintendent or designee shall maintain a current and perpetual inventory of all stock in School Board warehouses and shall file an annual end-of-the-year report of the count and value of such items with the finance department.
- IX. The Superintendent shall report to the School Board any property that has been lost or stolen if recovery is not made by the next regular School Board meeting after the discovery of the loss or theft. Such report shall include a recommendation for inactivation of the property record and information concerning possible personal liability which may be appropriate as the circumstance of the loss or theft may indicate.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

CHAPTER 274, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.087

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION, USE AND EXCHANGE OF SCHOOL PROPERTY	7.09
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- I. Acquisition
 - A. All property purchased through District funds, internal funds, or donations from outside sources shall be acquired using District purchasing procedures.
 - B. All property, including vehicular equipment, shall be under the full control and name of the School Board.
 - C. All property with a value consistent with the provisions of Policy 7.08 I., acquired through internal accounts or donations, shall be reported immediately by the principal to the property records office on the prescribed forms.
 - D. Principals and District department heads shall be responsible for determining that all property is identified and accounted.
- II. Exchange - Each principal and District department head shall determine the property needs for his/her school or department. The principal or District department head shall declare any property which is not needed, upon the property records office's approval, and may requisition additional property through proper procedures.
 - A. Surplus property shall be reported on proper forms to the property records office which shall be responsible for acquiring and storing the surplus property.
 - B. Property items with a value as established by I.C. above may be exchanged between schools and District departments when approval is granted by the property records office and subsequently by the appropriate District department head. Notification of each approval shall be filed in writing with the property records office to adjust property records of schools and District departments.
 - C. School Board equipment may be used by employees away from School Board property under certain conditions when prior approval is obtained from the principal or District department head. These conditions include familiarization with the equipment for instructional purposes or improvement of job performance.

CHAPTER 7.00 - BUSINESS SERVICES

- D. School Board equipment shall not be used for gainful outside employment or private use of employees, or by any outside group or organization.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

274.01, 274.02, 1001.43, 1011.06, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

SALE, TRANSFER OR DISPOSAL OF PROPERTY

7.10*

Obsolete, uneconomical or inefficient surplus property which serves no useful purpose may be disposed of in accordance with state law and regulations. Prior to disposal, reasonable attempts should be made to salvage all or part of any item of property for school use.

When it is no longer practical that property be retained, it shall first be offered for sale or transfer to other state agencies. When not disposed of in this manner, the property shall be offered for sale to the public at large and to private businesses.

Any remaining surplus property may be declared unusable and disposed of in a reasonable, environmentally sound manner, including donation to appropriate nonprofit groups.

Disposal of unusable property shall occur only after due consideration of school needs.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.41, 1013.28, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.087

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

LOST OR STOLEN PROPERTY

7.11*

- I. The principal or designee shall notify the following individuals when any school property has been vandalized, stolen, or lost:
 - A. The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen;
 - B. The District office by telephone; and,
 - C. In writing with a copy of such notice being sent to the Superintendent.
- II. The custodian of the property records shall prepare a written report and recommendations to the Superintendent if the property is not recovered within thirty (30) days.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.087

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

AUDITS

7.12*

I. District Audits

- A. Periodic audits shall be made of accounts, records, financial practices, and program elements of the District pursuant to Florida Statutes and State Board of Education rules.
- B. The School Board shall contract with an independent auditor to perform audits of the District when the Auditor General advises a financial audit will not be completed within the twelve (12) month period immediately following the fiscal year or if otherwise deemed needed by the School Board.
 - 1. The School Board shall establish an audit committee as required by Florida Statutes. The primary role of the committee shall be to assist in selecting an auditor to conduct the annual financial audit.
 - 2. Selection of the financial auditor shall be pursuant to provisions in Section 218.391, Florida Statutes.
 - 3. The certified public accountant who coordinates the financial audit shall have completed twenty-four (24) hours of inservice training in government or governmental auditing as approved by the Board of Accountancy within the last three (3) years.
 - 4. At the conclusion of the audit field work, the preliminary findings shall be discussed with the School Board Chairman or designee and the Superintendent. The auditor's comments shall reflect items which are intended to be included in the final audit report.
- C. Other auditors may be selected as permitted by law.

II. Audits of Internal Funds

- A. The Superintendent shall require an annual audit of internal funds maintained at each school or department. Such audits shall be performed in accordance with generally accepted accounting practices and with approved procedures for maintaining such funds.
- B. Each principal or department head shall report in writing to the auditor of internal accounts within ten (10) days of receiving an audit report. The written report shall address the audit report and any discrepancies cited therein.

CHAPTER 7.00 - BUSINESS SERVICES

- C. The Superintendent may direct an audit of a school's internal funds without prior notification. Such audits may be conducted by a School Board employee or a qualified independent accounting firm.
 - D. Audits shall be presented to the Board for acceptance.
- III. Nonfinancial audits shall be conducted by persons or entities qualified to conduct audits of the program, functions, or service to be audited.
- IV. Results of all audits shall be provided to the School Board for information and appropriate action consistent with law if action is required.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

**11.45, 218.39, 218.391,
1001.42, 1001.43, 1008.35, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-1.087

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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ANTIFRAUD

7.121+

- I. The School Board of Lafayette County will not tolerate fraud or the concealment of fraud.
- II. This policy applies to any fraud, suspected or observed, involving District employees, outside support organizations, vendors, contractors, volunteers, outside agencies doing business with the School Board and any other persons or parties in a position to commit fraud on the School Board.
- III. Fraud includes, but is not limited to, knowingly misrepresenting the truth or concealment of a material fact in order to personally benefit or to induce another to act to his/her detriment.

Actions constituting fraud include but are not limited to

- A. Falsifying, or unauthorized altering of District documents.
 - B. Accepting or offering a bribe, gifts or other favors under circumstances that indicate that the gift or favor was intended to influence an employee's decision-making.
 - C. Disclosing to other persons the purchasing/bidding activities engaged in, or contemplated by the District in order to give any entity, person or business an unfair advantage in the bid process.
 - D. Causing the District to pay excessive prices or fees where justification is not documented.
 - E. Unauthorized destruction, theft, tampering or removal of records, furniture, fixtures or equipment.
 - F. Using District equipment or work time for any outside private business activity.
- IV. Any perceived fraud that is detected or suspected by any staff member or other person shall be reported immediately to Human Resource Services for guidance as to whether pursuit of an investigation is warranted. The obligation to report fraud includes instances where an employee knew or should have known that an incident of fraud occurred. Any investigation required shall be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship. Investigations shall be conducted in a confidential manner.

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- V. Violation of this policy may result in disciplinary action, termination of employment, termination of contract or legal action.
- VI. The Superintendent or designee shall develop procedures to implement this policy. Procedures shall include but not be limited to
 - A. Employee notification and education;
 - B. Self-assessment of risk of fraud;
 - C. Reporting suspected or detected fraud;
 - D. Investigation of fraud;
 - E. Consequences and disciplinary action.

STATUTORY AUTHORITY:

1001.32, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 7.00 - BUSINESS SERVICES

PETTY CASH FUNDS

7.13*

The Superintendent may establish petty cash funds for his/her office, each District department, and each school. Petty cash funds shall be used for operating expenses in accordance with State Board of Education Rules and provisions described herein.

- I. A principal or District department head may establish a petty cash fund by submitting a request to the Finance Division for approval. Approval shall be obtained prior to issuing any checks.
- II. The Superintendent or designee shall reimburse the funds from the budgetary accounts of schools and District departments when petty cash is exhausted.
- III. Petty cash funds shall be accounted for separately from all other funds maintained at each school and District department. The amount of petty cash funds shall not exceed three hundred dollars (\$300.00) for the Superintendent's office, each District department and two hundred dollars (\$200.00) for each school.
- IV. An itemized receipt for each expenditure shall be kept to receive reimbursement.

STATUTORY AUTHORITY:

1001.42, 1006.21, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.057, 6A-1.087

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

PURCHASING POLICIES AND BIDDING

7.14*

The Superintendent or designee shall be responsible for all purchases of materials, equipment, and services from District school funds. Only persons authorized by the Superintendent or School Board rules may make any purchase involving the use of school funds. Unauthorized expenditures shall not be approved by the School Board. The following provisions shall govern purchasing and bidding procedures:

I. Authorization to Execute Purchase Orders

The Superintendent or designee shall be authorized to sign purchase orders.

II. Development of and Adherence to Specifications

Purchases through bids and quotations procedures shall be based upon justification and specifications which are clear, definite, and certain as to character and quality and shall conform to standard specifications for the various classes of supplies, materials, parts, services, or equipment desired. Such specifications shall be conducive to securing the most economical price for the highest quality product which best meets the needs of the educational program. Specifications shall be as open as possible and it shall be made clear in the invitation to bid that use of a trade name does not give exclusive rights to that product. Preferential bidding shall not be permitted. The Superintendent or designee shall be responsible for soliciting the assistance of District staff members who use the products to prepare specifications and to evaluate bids.

III. Requirements for Competitive Bids

Sealed bids shall be requested for any purchase of materials, equipment, or service above limits set by State Board of Education rules unless the item is purchased on the basis of an established state contract, through approved online procurement, under the provisions of sections IX. or X. herein, or is otherwise exempted from bidding by Florida Statutes or State Board of Education rules. A particular item or group of similar items which is anticipated to exceed a collective legally permitted total during the fiscal year shall be subject to the bid requirements as described herein. See section XI. regarding price quote limitations

IV. Standard Bid Procedures

- A. The Purchasing Agent shall maintain a list of all potential bidders by category of commodity or service and shall include the names of all persons or firms that requested placement on the list. The Purchasing Agent shall mail each request for bids to each person and firm on the list

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for that particular commodity and may mail the request for bids to other known persons or firms that are capable of providing the requested commodity.

1. The Purchasing Agent may remove the name of any person or firm from the list upon failure to respond to three (3) consecutive requests for bids.
 2. The Superintendent or designee may remove the name of any unqualified or unreliable person or firm from the list. Provided, however, the person or firm may apply to the Purchasing Agent for reinstatement to the vendor list after being removed for one (1) year.
 3. Prior to issuance of a purchase order in excess of twenty-five thousand dollars (\$25,000) the vendor shall execute an affidavit, pursuant to Florida Statutes, certifying that neither the firm nor any of its principals have been convicted with a public entity crime after July 1, 1989.
- B. Bid Receipt, Opening, and Tabulation - Sealed bids shall be received in the Purchasing Office at the time and date designated in the request for bids. All bids shall be opened publicly in the presence of at least one (1) School Board employee. The Purchasing Agent shall read aloud the name of the bidder and the amount and shall make recommendations to the Superintendent who shall make a recommendation to the School Board. The tabulation shall be signed by the Purchasing Agent and School Board employee in attendance. Bids received after the designated time shall not be accepted or considered.
- C. Award of Bids - Each bid shall be awarded on the basis of the lowest and best bid which meets specifications with consideration being given to the specific quality of the product, conformity to the specifications, suitability to school needs, delivery terms and service, and past performance of the vendor. In case of a tie, the recommendation shall be made by casting lots. Samples of products may be requested when practical. The School Board shall reserve the right to reject any or all bids.
- D. Public Inspection of Bids - Bids and quotations shall be made available for public inspection on the posting date and copies may be obtained subsequent to the posting date. The fee for photocopying shall be in accordance with the School Board Policy 3.07, Copying of Public Records. Original bids and quotations and the transmittal envelopes shall not be removed from the purchasing office.

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- E. Award to Other Than Low Bidder - Any bid recommendation other than the low bid shall be accompanied by a written statement signed by the Purchasing Agent giving the reasons and justification for such action as provided in section IV.B. herein. Single or combination items may be considered in determining the recommendation.
- F. Bid Withdrawal - A bidder may withdraw a bid before the designated time for opening bids by submitting a written request to the Purchasing Agent and identifying the reason(s) for the desired bid withdrawal. A bidder shall not be permitted to withdraw a bid for any reason after the designated time for opening bids unless mutually agreed upon by both parties.
- V. Electronic Bidding
 - A. Electronic bidding may be utilized when it is determined to be in the best interest of the District. All requirements for advance notification of bid specifications and date and time of bidding shall be met.
 - B. Each bid shall be awarded on the basis of the lowest and best bid which meets specifications with consideration being given to the specific quality of the product, conformity to the specifications, suitability to school needs, delivery terms and service, and past performance of the vendor.
 - C. Any bid recommendation other than the low bid shall be accompanied by a written statement signed by the Purchasing Agent giving the reasons and justification for such action.
 - D. Documentation of the bid process shall be maintained for audit purposes.
- VI. Emergency Situations

Occasionally, situations arise which necessitate immediate action in order to ensure the health and safety of students and staff, or to keep a facility in operation. In such cases, at the determination of the Superintendent, the normal procedures may be waived and all Board members will be notified of such action as soon as practicable. The purchasing department shall be required to make telephone contacts to request quotations, determine availability and ability to deliver services or products in a timely manner. All such contacts must be documented and followed by written bids from those contacted. The Superintendent shall be given all facts relating to the problem and a recommendation for the purchases necessary to resolve the problem. Upon the Superintendent's approval, the lowest and best bidder will be given authorization

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to proceed. A formal tabulation, giving complete details and justification, shall be submitted at the next regular Board meeting for ratification.

VII. Requisitions

Each purchase shall be based upon a requisition originating from the principal or District department head. Each requisition or contract shall be properly financed, budgeted, and encumbered prior to issuing a purchase order. Under extreme emergencies, the Superintendent or designee may grant permission for a purchase without a requisition; provided, however, any emergency purchase shall be followed immediately with an emergency requisition. A purchase shall not precede a requisition except under emergency provisions.

VIII. Informal Quotations on Purchases

Written quotations totaling more than five thousand dollars (\$5,000) but less than ten thousand dollars (\$10,000) shall be obtained from at least three (3) sources, except as provided in section XIII. herein, prior to issuing a purchase order for materials, services, or equipment as established and required by state law or regulation. Written or telephonic quotations for purchases under five thousand dollars (\$5,000) shall be obtained when practical and in the best interest of the School Board.

IX. Purchase of Foods and Nonfood Items for the Food Service Department

The Superintendent shall develop and prescribe a Competitive Procurement Plan for purchasing food and nonfood supply items for the school food service program.

- A. The Plan shall contain procedures to ensure conformity with the Federal Food, Drug and Cosmetic Act, the Federal Meat Inspection Act, and the Meat Inspection Law of Florida when purchasing foods.
- B. The Plan shall provide for various types of selection procedures including online procurement if approved by the state, as alternatives to the bidding requirements prescribed herein. Bidding requirements specified in this rule shall be waived if they conflict or are inconsistent with the Plan. All purchases of milk shall comply with State Board of Education rules.
- C. Purchases of equipment items and professional services shall be excluded from the Plan and shall be subject to procedures for purchases described herein.

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X. Government and Agency Bids

Subject to provisions of law, the Superintendent may authorize purchase bids approved by the state of Florida, other government agencies, or educational consortia.

XI. Acquisition of Professional or Educational Services

The Superintendent is authorized to contract for professional or educational services to complete projects or activities authorized or approved by the School Board.

- A. Selection of an architect, construction management, professional engineer, landscape architect, or land surveyor to perform professional services for a School Board project shall be in accordance with the School Board Policy 7.141, Selecting Professional Services.
- B. Contracts or commitments for educational or professional services shall be approved by the School Board if such contracts or commitments exceed amounts permitted without School Board approval by state laws or regulations.

XII. Conflict of Interest

The following provisions shall apply for conflict of interest. Any violation of these provisions by a School Board employee may be grounds for dismissal.

- A. No contract for goods or services may be made with any business organization in which
 - 1. The Superintendent or School Board member has any financial interest whatsoever;
 - 2. A spouse or child of the Superintendent or School Board member has an employment relationship or material interest as defined by Section 112.312, Florida Statutes; or,
 - 3. A School Board employee has an employment relationship or material interest as defined by Section 112.312, Florida Statutes.
- B. No School Board employee may directly or indirectly purchase or recommend the purchase of goods or services from any business organization in which his/her spouse or child has a material interest as defined by Section 112.312, Florida Statutes.

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- C. School Board employees or officials may not use bid prices or school prices or receive gifts or any preferential treatment in making personal purchases. A School Board employee shall not be prohibited from participating in any activity or purchasing program that is publicly offered to all School Board employees or in District surplus sales provided there is no preferential treatment.

XIII. Multi-year Purchase Agreements

No obligation shall be created by contract, purchase order, maintenance agreement, lease-purchase agreement, lease agreement, or other instrument which exceeds a period of twelve (12) months. The Superintendent shall develop and prescribe a uniform termination clause which shall be incorporated in and made a part of any multi-year obligation agreement or contract.

XIV. Bid Protest

- A. A bidder who wishes to file a bid protest, must file such notice and follow procedures prescribed by Section 120.57(3), F.S. for resolution. For bids solicited by the purchasing department, the notice must be filed with the purchasing department. For bids solicited by the facilities department, the notice must be filed with the facilities department or such persons as the Superintendent designates.
- B. Any person who files an action protesting a decision or intended decision pertaining to a bid pursuant to F.S. 120.57(3)(b), shall post at the time of filing the formal written protest, a bond payable to the Lafayette County School Board in an amount equal to one percent (1%) of the total estimated contract value, but no less than five hundred dollars (\$500) nor more than five thousand dollars (\$5000). The bond shall be conditioned upon the payment of all costs which may be adjudged against the protester in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. If, after completion of the administrative hearing process and any appellate court proceedings, the District prevails, it shall recover all costs and charges, which shall be included in the final order or judgment, including charges made by the Division of Administrative Hearings, but excluding attorney's fees. If the protester prevails, he/she shall recover from the District all costs and charges which shall be included in the final order of judgment, excluding attorney's fees.

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- C. Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed in Section 120.57(3), F.S., shall constitute a waiver of proceedings under Chapter 120, F.S.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.312, 120.57, 212.0821, 255.04,
274.02, 287.017, 287.057, 1001.43,
1010.01, 1010.04, 1013.47, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.012, 6A-1.085,
6A-1.087, 6A-7.0411

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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SELECTING PROFESSIONAL SERVICES

7.141

When it is determined that the School Board may need to contract for the professional services of an architect, professional engineer, land surveying, landscape architects, construction management, or registered land surveyor, the procedures prescribed herein shall be followed:

- I. Definition - The term *firm* means any firm, partnership, corporation, association, individual, or other legal entity entitled to practice architecture, engineering, or land surveying in the state of Florida.
- II. Prequalification - The Superintendent shall, by letter, inform not less than five (5) firms of the type of service desired by the School Board and shall determine whether or not such firms have an interest in qualifying to render such services when needed. The Superintendent shall continue his/her efforts until at least three (3) firms have indicated an interest. There shall be a list of prequalified firms for each of the specialized areas of professional services enumerated in Florida Statutes.
 - A. Upon receipt of notice of interest, the Superintendent shall request the firm to furnish the following information:
 1. A full and complete statement of qualifications and capabilities;
 2. Number of years in business;
 3. Location of firm's office nearest the county seat;
 4. The membership of the firm's staff and the special qualifications of the person or persons who would render the type of service desired; and,
 5. The names and address of at least three (3) school boards or other agencies for whom similar services have been performed within the last five (5) years and the date and the specific service rendered in each case.
 - B. Within thirty (30) days following indication of interest, the Superintendent shall complete the file on each firm. In addition to the information filed by the agency or firm, the Superintendent shall obtain a written evaluation from at least three (3) agencies for which such service has been rendered. Any firm which prequalifies under this rule shall file an annual statement of qualifications and performance data and thereby keep its file current.

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- C. Any firm which has furnished the information prescribed in this subsection shall be sent a copy of the legal notice when service in the firm's area of specialty is to be contracted.
- III. Public notice and applications - Where the board by official action determines that it will enter into a contract for such professional services, the Superintendent shall cause to be published once each week for three (3) successive weeks in the local newspaper a public notice stating the type of professional services desired, giving a general description of the project, and stating how an interested firm may apply and the deadline for applications.
 - A. Each firm which prequalifies, as provided in section II. of this rule, shall be sent a copy of the public notice together with a request that an application be filed if the firm desires to be considered.
 - B. Each firm which files an application and which has not prequalified shall be required to complete the information required in section II. of this rule within ten (10) days following the deadline for making applications.
- IV. Rating of applications - Based on the data filed by each applicant firm and the follow up data obtained by the Superintendent, the School Board will determine the order in which the applicants will be arranged for negotiation purposes.
 - A. To facilitate the selection process, the Superintendent shall prepare a full and complete summary report on each applicant firm.
 - B. Based on data available and its best judgment, the School Board will select the three (3) firms most qualified to perform the desired professional services and will rate them as first, second, and third most qualified for negotiation purposes.
- V. Negotiations - Subsequent to the above determination, the School Board will notify the firm rated as first most qualified and establish a date for the firm to make its presentation and to enter into negotiations with the Board for the professional services.
 - A. If the Board cannot obtain a fair, reasonable and competitive price for which the professional services will be rendered by such firm, negotiations shall be formally terminated by the Board. The Board will then undertake negotiations with the firm rated second most qualified. If an accord cannot be reached with this firm, negotiations will be formally terminated, and the Board will then undertake negotiations with the firm rated third most qualified.

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- B. If the Board is unable to negotiate an acceptable contract with any one (1) of the first three (3) firms, it will select from among the remaining applicants in the order of competence and qualifications and continue its negotiations, provided, that such firms are considered competent to perform the services desired.
- VI. Special assistance - Where the professional service contract will require a fee in excess of twenty-five thousand dollars (\$25,000), the Department of Transportation or the Department of General Services will be requested to provide assistance in selecting a consultant for professional services; provided that the School Board after three (3) attempts has not obtained a reasonable, fair, and competitive price.
- VII. Contracts - Any contract entered into by the School Board for professional services, as provided herein, shall include a prohibition against contingent fees.
- VIII. The Superintendent or designee may authorize outside consultants to provide professional reviews, assistance or training.
- IX. Full or part-time employees of the Board shall not contract for additional service to the Board as consultants.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

287.055, 1001.43, 1001.53, 1011.06, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-2.0010

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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BID PROTEST RESOLUTION

7.142

The following procedures shall govern the resolution of protests from contract bidding procedures prior to initiation of formal or informal proceedings pursuant to Chapter 120, Florida Statutes.

- I. The School Board shall provide notice of its decision or intended decision concerning a bid solicitation or contract award as follows:
 - A. For bid solicitation, notice of a decision or intended decision shall be sent by United States mail or by hand delivery.
 - B. For any other Board decision relating to contract bidding procedures, notice of a decision or intended decision shall be given either by posting the bid tabulation at the location where the bids were opened, or by certified mail, return receipt requested. This notice shall contain the following statement: "Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."
- II. Any person who is affected adversely by the Board decision or intended decision shall file with the Board a notice of protest in writing within seventy-two (72) hours after the posting of the bid tabulation or after receipt of the notice of the Board's decision or intended decision, and a formal written protest within ten (10) days after the date he filed the notice of protest. Failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.
- III. Upon receipt of a notice of protest which has been timely filed, the Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final School Board action, unless the Board sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay to avoid an immediate and serious danger to the public health, safety or welfare.
- IV. The Board, on its own initiative or upon the request of a protestor, shall provide an opportunity to resolve the protest by mutual agreement between the parties within seven (7) days of receipt of the formal written protest.
 - A. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there are not disputed issues of material fact, an informal proceeding shall be conducted pursuant to Section 120.57, Florida Statutes, and of these rules.

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- B. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there is a disputed issue of material fact, the Board shall refer the matter to the Division of Administrative Hearings of the Department of Administration for a formal hearing pursuant to Section 120.57, Florida Statutes, and these rules.
- V. Construction bids protested shall be in accordance with the policy on the topic found in the section of these policies dealing with construction.

STATUTORY AUTHORITY:

1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED:

120.53(2), 120.57, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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PAYMENT OF VOUCHERS/INVOICES

7.15

Expenditures for payment of vouchers and invoices shall be made by warrants or electronic transfers of the School Board. Authorization for such payments shall be deemed approved by the Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific School Board approval is required and shall be reflected in School Board minutes. Approval of individual warrants themselves by the School Board shall not be required.

Payment for purchases and services shall be made in a timely manner as set forth in Chapter 218, Florida Statutes.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

218.72 - .75, 1001.43, 1001.51, 1011.06, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PAYROLL PROCEDURES

7.16

- I. Payrolls shall be submitted for all School Board employees and shall be properly signed by a designated administrative employee. Such payrolls shall be supported, where applicable, by time records.
- II. Payroll checks or warrant distribution dates shall be established administratively to ensure that the employees are paid promptly in accordance with Florida Statutes.
- III. No payment shall be made except to properly authorized and approved personnel.
- IV. Payment shall be based on the duly adopted salary schedule for each position. From time to time payments in the form of a bonus or other legally authorized payment may be made.
- V. Full time and part-time regular, probationary, and temporary employees shall be paid at the regular established pay period.
- VI. Principals shall be responsible for submitting accurate payrolls in accordance with the payroll time schedules and procedures.
- VII. Salary adjustments shall be paid at subsequent payroll periods. A person whose services are terminated shall be paid the full salary balance at the regular pay period following termination. Any exceptions shall be approved by the Superintendent/designee.
- VIII. A payroll deduction for an employee beyond those required by Florida Statutes shall have the Superintendent's approval and shall be made only upon the written request of the employee.
- IX. Any employee organization certified by the Florida Public Employees Relations Commission as the official bargaining agent for a group of District employees or other groups designated by law may be entitled to a payroll deduction for membership dues. The organization may be billed annually for the cost of deducting and transmitting such dues to the organization.
- X. No payments shall be made for overtime services without prior approval of the Superintendent/designee.
- XI. There shall be no payroll deductions permitted in violation of Section 106.15, Florida Statutes.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 106.15, 1001.43, 1011.60, 1012.22, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:

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AUTHORIZED TRAVEL EXPENSES

7.17*

Authorized travel for officers and employees of the School Board shall be reimbursed as follows:

- I. In-District Travel - Travel by an authorized officer or employee within the District shall be reimbursed at School Board adopted rates, provided, however, that no reimbursement shall be made for travel between an employee's home and his/her official headquarters.
- II. Out-of-District Travel
 - A. One-day Trips - Expenses by officers or employees on authorized school business which require less than one (1) day shall be reimbursed for travel and meals at the maximum federal rate.
 - B. Overnight Trips - Expenses by officers or employees on authorized trips requiring absence overnight or in excess of twenty-four (24) hours shall be reimbursed for travel, lodging and meals at the maximum federal rate. Travel shall be the most economical route or method.
- III. Mileage shall be computed as follows:
 - A. In-District - In accordance with the District's mileage schedule or the odometer reading from the point of departure to the destination.
 - B. Out-of-District - Pursuant to the mileage chart established on the official state road map plus vicinity mileage.
- IV. Travel shall be coordinated when more than one (1) traveler is going to the same destination at approximately the same time, if practical. Mileage reimbursement for travelers who choose not to carpool shall be pro-rated, between drivers, based on the number of travelers transported.
- V. A purchase order shall be issued and processed through the District office when a common carrier is used. Air travel shall be used when practical, using airlines on state contracts if available.
- VI. Reimbursement may be requested for tolls, taxis, and registration fees when properly documented. No reimbursement may be authorized for gratuities. Reimbursement for registration fees shall be reduced by the value of any lodging or meals which are included.

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- VII. All out-of-district travel by School Board members shall have approval of the School Board. The official headquarters of each School Board member shall be his/her place of residence and all in-district travel, including travel to and from School Board meetings, shall be computed on this basis.
- VIII. The Superintendent or designee is authorized to approve monetary advances for anticipated travel expenses for persons who are traveling on the School Board's behalf and whose responsibilities require extensive travel from the District. The financial advancement shall not exceed eighty percent (80%) of the anticipated cost of each trip.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

112.061, 1001.39, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.056

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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INDEBTEDNESS CREATED AGAINST A SCHOOL OR THE SCHOOL BOARD

7.18

Any school employee shall be personally liable for creating any bill of indebtedness against a school or against the School Board unless authority exists under duly adopted policy of the School Board or unless authorized in writing by the Superintendent. Any person violating the provisions of this rule shall be subject to cancellation of his/her contract or dismissal from employment.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES

7.19

All fund-raising projects and activities by schools or groups within the school shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with the overall instructional program as administered by the Superintendent.

- I. Money derived from any school fund-raising project or activity shall be deposited in the school's internal funds account and shall be disbursed as prescribed by School Board rules and State Board of Education rules.
- II. Each school shall continuously evaluate its fund-raising projects and extracurricular activities of the school program, the promotion of education experiences, the time involved for students and teachers, and the additional demands made on the school community.
- III. The determination of the fund-raising projects and activities for a school shall be the principal and the staff's responsibility, and shall conform to the following conditions and other directives provided by the Superintendent:
 - A. Fund-raising activities and projects within all schools shall be kept within a reasonable limit. Before approving any project or activity, the principal shall require full justification of the need and explanation of the manner in which the funds will be expended.
 - B. A written request for fund-raising projects and activities shall be submitted by the principal to the Superintendent or designee for approval.
 - C. Merchandising projects shall be kept to a minimum.
- IV. A parent-teacher association or any other organizations connected with the school may sponsor fund-raising activities provided school work and time are not adversely affected. Such activities shall be conducted in accordance with School Board rules. Unlawful activity shall be prohibited by any school group or on School Board property.
- V. A student shall not sell raffle tickets on the school grounds during the school day. Students may not sell any other item on the school grounds without first having the principal's approval.
- VI. Individuals and business agencies shall not be subject to excessive annoyances from the solicitation of funds by school groups or school personnel. The solicitation of funds away from school shall require the Superintendent or designee's approval. When possible, all necessary money shall be raised for

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school needs without recourse to any solicitation away from the school. The Superintendent shall approve a solicitation activity only when funds cannot be raised otherwise. This rule does not preclude private or volunteer contributions for athletic or other purposes.

- VII. Food and beverage services which are available to students shall be provided only during the school day by the food and nutrition service program. Provided, however, school organizations approved by the School Board shall be permitted to sell food and beverage items to students in secondary schools even though the sale of such items is in competition with the food and nutrition service program.
- A. School organizations are authorized to conduct the sale of food and beverage items only one (1) hour following the close of the last lunch period.
- B. Food sold by school organizations shall comply with the provisions of State Board of Education rules.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.51, 1006.07, 1010.01, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.085, 6A-7.0411

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

INVESTMENT OF FUNDS

7.20

- I. The Superintendent, on the recommendation of the Director of Finance, shall invest temporarily idle funds to earn the maximum possible yield for the period available while assuring minimum risk to principal. The investment objectives shall include safety of capital, liquidation of funds and investment income. Funds may be placed in the following types of investments:
 - A. Bids from qualified depositories;
 - B. Certificates of deposits;
 - C. Time deposits;
 - D. Securities of the United States Government;
 - E. State managed cooperative investment plans, or
 - F. Other forms of authorized investments. Should the District choose to enter into third-party custodial agreements, master purchase agreements or security purchase agreements, it shall do so in accordance with Section 218.415, Florida Statutes. The District shall not invest in derivative products.
- II. The principal shall invest temporarily idle internal account funds in, but not limited to, United States treasury bills, notes, certificates, bonds, certificates of deposit of national or state chartered banks approved as depositories of the School Board and approved savings and loan associations at the best available return while assuring minimal risk to principal and in accordance with this policy.
- III. The Board shall provide for appropriate training of those persons managing its investments.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

218.415, 1001.32, 1001.43, 1011.09, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

RISK MANAGEMENT INSURANCE

7.21

The Superintendent shall recommend annually to the School Board insurance programs that are in the best interest of the District. When considering the risk management programs, the Superintendent shall evaluate all options available as provided in state statutes.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1001.57, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

HOSPITALITY FUNDS

7.25

The Superintendent may authorize expenditures for purposes of promotion, public relations activities and hospitality, as set forth herein. Such expenditures are restricted as to the source of funds, amount of annual expenditures and conditions for expenditures, as set forth herein and as limited by law or regulations.

- I. Expenditures may include promotion and public relation activities and hospitality of business guests provided they will directly benefit or are in the best interest of the District.
- II. Expenditures shall be made from auxiliary enterprises and undesignated donations to the District for promotion and public relations except that federal funds may be used to purchase food when federal program guidelines permit such use.
- III. Expenditures for hospitality of business guests shall be limited to the maximum permitted by state law and rule.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1010.08, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0143

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY

8.01*+

- I. The principal shall cooperate with the Fire Department, the Highway Patrol, the County Sheriff's Department, and other agencies in providing safe conditions for students. School safety patrol units are encouraged.
- II. The principal, bus drivers, teachers, school food service personnel, and custodians shall strive to protect the physical welfare of each student.
- III. The principal shall remove hazards where possible and shall report in writing to the Superintendent all other known hazards. Barbed wire shall not be used on school grounds except by the School Board's authorization.
- IV. Students shall be given information which encourages compliance with the safety belt usage law by means of appropriate courses such as driver education, health, and safety.
- V. The District shall annually conduct a self-assessment of safety and security practices. Based upon this self assessment and other concerns, if applicable, the Superintendent shall present appropriate recommendations to the School Board for increasing safety and security and the School Board shall take such actions as it deems necessary and appropriate to address safety and security in the District or at individual sites.
- VI. No person shall bring on any School Board premises or have in his/her possession or in his/her vehicle any School Board property, any firearm, weapon or destructive device unless such weapon is required as part of his/her regular job responsibilities.
- VII. The Superintendent shall develop and present to the Board for approval appropriate emergency management and emergency preparedness plans.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

316.614, 1001.43, 1006.062(3), 1006.07, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 8.00 - AUXILIARY SERVICES

INSPECTIONS

8.03*

- I. All school buildings shall be inspected at least once during each school fiscal year by a person who is certified by the Florida Department of Education. Such inspection shall be conducted to determine compliance with State Board of Education rules and shall include, but not be limited to, wiring, plumbing, structural parts, safety hazards, and general repair needs. A copy of such inspection report(s) shall be submitted to the principal, Superintendent, and School Board.
- II. Fire safety inspections of all buildings shall be conducted annually by the Division of the State Fire Marshall or, upon approval, a local fire department official who has successfully completed the required training courses and is certified by the Division of the State Fire Marshall as a fire safety inspector.
- III. If a serious fire hazard is identified, action may be taken in accordance with Policy 8.31.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

404.056, 1001.43, 1013.12, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-2.0010

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

DISASTER PREPAREDNESS

8.05+

- I. The School Board shall participate in emergency management by providing facilities and personnel necessary to staff such facilities during a state or local emergency and upon the request of the local department of emergency management.
 - A. Prior to June 1 of each year, the Superintendent shall develop, with local emergency management agencies, a list of schools to be used as emergency shelters.
 - B. The principals of the designated facilities shall be available to assist the department of emergency management in the operation of their schools as emergency shelters when requested.
 - C. The Superintendent may authorize the use of custodians, food service personnel, electricians, maintenance employees, and other School Board employees to assist in the safe operation of the emergency shelter or disaster operation.
- II. Transportation assistance provided by the School Board shall be coordinated with the department of emergency management. The Superintendent may authorize the use of bus drivers and assistants as needed to provide emergency transportation services.
- III. Compensation
 - A. Hourly personnel asked to perform emergency-related duties will be paid according to current School Board pay schedules. Overtime will be paid consistent with the federal Fair Labor Standards Act.
 - B. Salaried personnel will be allowed to earn compensatory time or will be paid at the individual's hourly rate, at the Superintendent's discretion, for time worked beyond the normal workday. However, if the emergency is officially declared an emergency by the federal government, the salaried employee will receive his/her hourly rate of pay for the time the Superintendent has directed the person to work in addition to his/her regular work schedule.
- IV. The Superintendent and local emergency management agencies shall develop a shelter operations plan and annual training that will clearly identify staff roles and responsibilities for the safe administration of the school as an emergency shelter and for emergency transportation services.

CHAPTER 8.00 - AUXILIARY SERVICES

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.23, 1013.372, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 8.00 - AUXILIARY SERVICES

VANDALISM AND MALICIOUS MISCHIEF

8.08

The principal or designee shall report any vandalism immediately to the Superintendent and to the proper law enforcement agency giving all available information.

- I. A student who willfully damages school property shall be properly disciplined and his/her parent(s), as defined by Florida Statutes, if the student is a minor, shall be requested, in writing, to restore or to replace any damaged property in accordance with the true value as determined by the principal, the responsible District department head, or in extreme cases the Superintendent and/or School Board. In extreme cases of vandalism, a student shall be subject to suspension or expulsion from school under the charge of serious misconduct. The *Code of Student Conduct* shall identify disciplinary procedures for students who abuse school property. An adult student involved in the destruction of school property shall be held solely responsible for the damages.
- II. A civil action against the student's parent(s) may be instituted by the School Board in an appropriate action to recover damages in an amount not to exceed the limit prescribed by Florida Statutes if vandalism or theft of school property is known to have been committed by a minor and the parent refuses to restore or replace the property.
- III. In any case of willful or negligent damage to school property by a person other than a student, the user or the person responsible for the damage shall replace the property or pay the damages in accordance with the true value as determined by the Superintendent.
- IV. Each organization which is granted a permit for the use of public property shall be responsible for any damage to the buildings, equipment, or grounds beyond that which would be considered normal wear and tear and shall pay for any such damage in accordance with the true value as determined by the Superintendent. Failure to comply with a request for payment of such assessed damages shall result in the individual, group, or organization being ineligible for further use of school property and such legal action as the School Board deems proper to recover the amount of damages.

CHAPTER 8.00 - AUXILIARY SERVICES

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 741.24, 806.13, 1000.21, 1001.43, 1013.10, F.S.

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 8.00 - AUXILIARY SERVICES

SANITATION AND PREVENTIVE MAINTENANCE

8.09

The school principal or work site supervisor or designee shall be responsible for maintaining satisfactory standards of sanitation and housekeeping. A formal inspection of all buildings under his/her supervision shall be made at least once each month including all toilet areas, food service areas, storage rooms, and other student or staff occupied areas.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

INFECTION CONTROL GUIDELINES

8.11

School Board employees who handle students' body secretions shall adhere to the following procedures which emphasize avoidance of direct contact of employees' skin and mucous membranes with blood and other body secretions or wastes of persons who may have a communicable disease:

- I. Rubber or latex gloves shall be worn and discarded after one (1) use.
- II. Body secretions or blood shall be removed by using a freshly prepared disinfectant solution as prescribed in approved District operating procedures. All soiled surfaces shall be cleaned with this mixture by using disposable towels, whenever possible. Any substitute disinfectant solution shall be approved by the appropriate District officer.
- III. All soiled articles shall be disinfected and discarded in red bags pursuant to approved guidelines.
- IV. Mops and other cleaning implements shall be thoroughly rinsed in the disinfectant solution.
- V. Hands shall be washed thoroughly with soap and water after removing gloves or if bare hands accidentally contact any body secretions.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.23, F.S.

STATE DEPARTMENT OF HEALTH RULE(S):

64E-16

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

PURPOSE AND FUNCTIONS OF THE TRANSPORTATION PROGRAM

8.12*+

- I. The transportation program shall be administered to provide safe and efficient services at the lowest possible cost. Transportation funds shall be used primarily to provide transportation of students to and from the nearest appropriate school as determined by the School Board and in accordance with Florida Statutes.
- II. The Superintendent or designee shall be responsible for supervising, administering, investigating, and resolving problems of the District's transportation system. This shall include determination that all School Board employees involved with the transportation system are knowledgeable of applicable Florida Statutes and State Board of Education rules.
- III. The Transportation Supervisor shall develop a handbook for School Board approval to set forth guidelines, directions, and procedures for the District's transportation system.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.21, 1006.22, 1006.23, 1011.68, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-3.0171

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

STUDENT TRANSPORTATION

8.13*

The Board shall provide transportation for every student who should attend school and who lives more than a reasonable walking distance from the school to which he/she is assigned. A reasonable walking distance shall be defined as two (2) miles from the school by the nearest traveled route.

- I. Exceptions may be made in the case where a child is handicapped or when it has been determined that the nearest route taken will be extremely unsafe for the child to walk due to the traffic, natural hazards, or other peculiar circumstance, or special authorization is granted by the School Board.
- II. Determination of such unsafe conditions shall be the responsibility of the Superintendent upon the consideration of findings of the supervisor of transportation in cooperation with the bus operator, and recommendations of school administration, law enforcement agencies, or local safety groups.
- III. When it is impractical to provide bus transportation for reasons of isolation from regular school bus routes to the school of assignment, a parent, as defined by Florida Statutes, aide, or other person transporting the student may be authorized by the Board to be reimbursed at the rate provided by law.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.21, 1006.23, 1011.68, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-3.001, 6A-3.0171

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

AUTOMOTIVE EQUIPMENT

8.14

All automotive equipment owned by the School Board shall be assigned to the Superintendent or designee for proper care and maintenance.

- I. Automotive equipment shall be used exclusively for school business. It shall not be used for unauthorized purposes.
 - A. The Superintendent shall report any unauthorized equipment usage to the School Board.
 - B. Violation of this rule shall be cause for disciplinary action.
- II. Failure of the operator to notify the transportation supervisor as to any mechanical defect of any piece of automotive equipment may be cause for disciplinary action by the School Board.
- III. All mechanical defects of equipment, where repairs are needed, shall be the Superintendent's or designee's responsibility and repairs shall be made immediately; provided that the vehicle may be withdrawn from use by the Superintendent until the repairs are made. The School Board shall not assume any financial responsibility for purchases or contract for repairs unless prior approval is obtained from the Superintendent or designee.
- IV. The transportation supervisor shall determine that all equipment is inspected at regular intervals. The equipment shall be placed in the District's garage(s) for repairs or service if needed.
- V. Under no conditions shall equipment be repaired by a private shop or private individual without the Superintendent or transportation supervisor's approval.
- VI. The person who is assigned a vehicle on a full time basis shall be responsible for delivering the vehicle to the District's garage for inspection as prescribed by the transportation supervisor.
- VII. The operator of any vehicle with a gross vehicle weight rating of 8,500 pounds and with a heavy-duty diesel engine shall adhere to the requirements for the reduction of heavy-duty idling.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.21, 1006.22, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-3.0171

DEPARTMENT OF ENVIRONMENTAL
PROTECTION RULE(S): 62-285.420

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

BUS ROUTES

8.15*

- I. Designation of Bus Routes - The School Board, after considering the Superintendent's recommendation, shall designate the route to be traveled regularly by each school bus. Each such route shall meet the following requirements:
 - A. The route shall be planned, scheduled, and adjusted to the capacity of the bus to serve students whose homes are beyond a reasonable working distance from the school center to which they are assigned, except as otherwise provided by Florida Statutes and State Board of Education rules. The routing and scheduling of buses shall be planned to eliminate the necessity for students to stand while the bus is in motion. In emergency situations where the number of transported students in a bus exceeds the rated seating capacity, the bus shall proceed at such a reduced rate of speed to maximize students' safety.
 - B. School bus routes which are designated by the School Board shall be restricted to those areas where road conditions, bridge capacities, and the number of transported students allow such service to be economically feasible and practicable.
 - C. School bus routes shall, insofar as possible, be restricted to main routes and county-maintained roads.
 - D. A suitable turning area shall be available for any route requiring a bus to be turned around.
 - E. Only one (1) bus shall be assigned students on any given route unless the school schedules necessitate a dual assignment of buses.
 - F. The location of each bus stop will conform to the requirements of Florida Statutes.
- II. Spur Routes - A spur route shall exist only when an extremely hazardous condition is present, requiring the bus to deviate from the main trunk.
- III. Change in Routes - School bus operators shall not discontinue stops, begin new stops, or otherwise change a route without prior approval of the Superintendent or designee.

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- IV. Other Provisions - Students who are approved to attend a District school which is not located in their assigned attendance area shall be ineligible for transportation provided by the School Board except as permitted by the School Board Rule 8.13, Student Transportation or other controlling regulations.

STATUTORY AUTHORITY: **1001.42, F.S.**

LAW(S) IMPLEMENTED: **947.1405, 1001.21, 1006.21, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-3.0171**

HISTORY: **ADOPTED: _____**
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

TRANSPORTATION LIABILITY

8.16*

The Superintendent is directed to ensure that School Board liability is protected when transporting students and persons other than students to events or activities in which the School Board or school has agreed to participate or co-sponsor.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.21, 1006.24, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 8.00 - AUXILIARY SERVICES

BUS EMERGENCY EVACUATION DRILLS

8.17

I. The director of transportation or designee shall instruct bus operators in procedures to be followed while conducting a bus emergency evacuation drill. A bus evacuation drill shall be conducted during the first six (6) weeks of each semester in the presence of a school principal or designee.

A. The director of transportation or designee shall inform the bus operators and the school principal or designee by written notice as to the day on which any practice emergency evacuation drill is to be conducted. The bus operator shall hold the drill as directed, and the principal or designee shall record the process.

B. A practice emergency evacuation drill shall be held at a point in which the least possible danger exists from traffic.

C. Any bus operator serving more than one (1) school shall report for instruction to the school as directed by the director of transportation or designee.

II. Each school principal or designee shall provide instruction at least twice each year for all transported students in safe practices to board and depart from the school bus. Initial instruction shall be given during the first twenty (20) days of the school year and the second period of instruction shall be held during the second semester of the school year. The principal and his/her instructional staff members shall determine the most effective and practical manner in which to provide such instruction.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.21, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-3.0171

HISTORY: ADOPTED: _____ REVISION DATE(S): _____ FORMERLY: NEW

CHAPTER 8.00 - AUXILIARY SERVICES

VEHICLE MAINTENANCE PROGRAM

8.19+

- I. All transportation equipment shall be maintained in safe operating condition. The Transportation Supervisor shall be responsible for a planned program of maintenance to keep all vehicles running safely and efficiently. This program shall include
 - A. Instructing bus operators in methods of anticipating and noting maintenance problems.
 - B. Inspecting and servicing all vehicles as prescribed in State Board of Education rules on a periodic basis.
 - C. Maintaining service and repair records on each vehicle as required by State Board of Education rules. A checklist shall be devised for use in recording the results of the safety inspection.
 - D. Planning and scheduling preventive maintenance, through major overhaul and repair of all equipment.
 - E. Training through inservice activities for apprentice mechanics.
- II. The mechanical condition of each school bus shall be determined at least once each thirty (30) working days that the bus is in operation. Any school bus which does not comply with the requirements of Florida Statutes and State Board of Education rules shall be withdrawn immediately from use until it meets such requirements.
- III. Only School Board or governmental owned vehicles may be repaired or serviced in the school bus garage.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1006.21, 1006.22, 1006.25, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-3.0171

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

TRANSPORTING STUDENTS IN PRIVATE VEHICLES

8.21

The transportation of students in privately-owned motor vehicles for educational field trips or school-sponsored or school-related events shall be approved by the School Board pursuant to Florida Statutes. Drivers of such vehicles shall be required to show proof of insurance coverage at the minimum limits required by Florida Statutes and at other limits that may be required by the School Board.

Employees will be covered by the Board's liability program when they are transporting students as part of their assigned or related duties. Benefits due from private vehicle insurance will be primary, except or worker's compensation, in accordance with state law.

STATUTORY AUTHORITY:

1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED:

1006.21, 1006.22, 1006.24, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-3.0171

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY BELTS

8.22

- I. The operator and each passenger of a motor vehicle who are conducting School Board business or a school-related activity shall be restrained by a safety belt when the vehicle is in motion. This provision is applicable to all vehicles as defined in Section 316.003, Florida Statutes, except for the following:
 - A. A school bus except as required by law or rule;
 - B. A bus used for transportation of persons for compensation;
 - C. A farm tractor or implement of husbandry;
 - D. A truck of net weight of more than five thousand (5,000) pounds; and,
 - E. A motorcycle, moped, or bicycle.
- II. The number of passengers of a vehicle shall not exceed the number of safety belts which were installed by the manufacturer.
- III. School bus operators shall wear a seat belt when operating a school bus.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

316.003, 316.614, 1006.21, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-3.0171

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

GENERAL FOOD SERVICE REQUIREMENTS

8.23*

- I. The school food service program shall operate according to requirements set forth in Florida Statutes and State Board of Education rules. The school food service program shall include the federally reimbursed lunch program, *a la carte* food, beverage offerings, and sale of food and beverage items offered through vending machines or other methods to students at all school facilities during the school day and may include other federally reimbursed Child Nutrition Programs.
- II. The school food service program shall be an integral part of the District's educational program, offering nutritional and educational opportunities to students.
- III. Foods and beverages available in schools shall be only those which meet the nutritional needs of students and contribute to the development of desirable health habits unless permitted otherwise by State Board of Education rules and approved by the Superintendent.
- IV. The school food service program shall meet the standards for Food Service and Sanitation and Safety as provided by the Florida State Board of Health and Florida State Department of Education.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.06, 1006.0605, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-7.040, 6A-7.041, 6A-7.0411, 6A-7.045

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

MEAL PATTERNS

8.24*

All schools with grades K-12 shall participate in the National School Lunch and Breakfast Programs and serve student meals according to meal patterns established by the United States Department of Agriculture. Schools may participate in other Child Nutrition Programs; meals shall be served to students according to meal patterns established by the United States Department of Agriculture.

STATUTORY AUTHORITY:

1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED:

1006.06, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-7.040

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

FREE AND REDUCED PRICE MEALS

8.25*

Free or reduced price meals shall be served to all students who are unable to pay the full price of meals and who qualify based on eligibility criteria approved by the School Board.

- I. The income Eligibility Guidelines for free or reduced price meals shall be in accordance with the scales provided by the Florida Department of Education as adopted by the State Board of Education based upon income guidelines prescribed by the United States Secretary of Agriculture.
- II. Eligibility criteria shall be applicable to all District schools and shall provide that all students from a family meeting the eligibility criteria and attending any District school are offered the same benefits.
- III. Procedures for implementing the free and reduced price meal services shall be reviewed annually and shall be in accordance with procedures and guidelines published by the Florida Department of Education and the United States Department of Agriculture.

STATUTORY AUTHORITY:

1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED:

1006.06, 1006.0605, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-7.0421

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

SUMMER NUTRITION PROGRAM

8.251+

- I. The District shall develop a plan to sponsor a summer nutrition program. One (1) site shall be within five (5) miles of an elementary school at which fifty percent (50%) of the students qualify for free or reduced price school meals and shall operate for thirty-five (35) consecutive days. The remaining sites shall be within ten (10) miles of each elementary school at which fifty percent (50%) of the students qualify for free or reduced price school meals. The Superintendent may collaborate with governmental agencies and not-for-profit entities in implementing this plan.
- II. The School Board may seek an exemption from sponsoring a summer nutrition program as provided by law. Annually the School Board shall reconsider the decision to be exempt from providing a summer nutrition program. The School Board shall notify the Commissioner of Education within ten (10) days of the decision to continue the exemption.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.0606, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 8.00: AUXILIARY SERVICES

SCHOOL BREAKFAST PROGRAM

8.255

- I. Breakfast shall be available to all students in elementary, middle and high schools.
- II. Breakfast programs shall be implemented at alternative educational sites when feasible. Alternative breakfast options may be served at such sites.
- III. Students who arrive at school on a school bus less than fifteen (15) minutes prior to the start of school shall be allowed a minimum of fifteen (15) minutes to eat breakfast.
- IV. The School Board shall adopt prices for breakfast meals so that the amount paid and federal reimbursements defray the cost of the school breakfast program.
- V. Beginning with the 2010-2011 school year, a breakfast meal will be provided for each student, at no cost to the student or parent, at any school in which eighty percent (80%) of the students are eligible for free or reduced price meals.
- VI. Annually, all students and parents shall be notified about the school breakfast program. Parental notification shall be in writing.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.06, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-7.040, 6A-7.041,
6A-7.0411, 6A-7.045

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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RECORDS RETENTION AND DISPOSAL

8.26+

- I. The School Board shall establish and maintain a system for the retention and destruction of District school records in order to reduce the space required for record storage and to permit the Superintendent to administer the affairs of the District more efficiently.
- II. Pursuant to public records laws and rules of the Florida Department of State, the management information services office shall develop a records retention schedule for each records series or type of record, including teachers' records on each student's grade and attendance.
- III. Records which are designated as permanent in Florida Statutes, and by the Division of Archives, History and Records Management of the Florida Department of State, and those selected by the School Board or Superintendent as having permanent value, may be destroyed after being photographed or reproduced on film, or stored on electronic media. Photographs or micro-photographs, in the form of film or prints made in compliance with this rule, shall have the same force and effect as the originals and shall be treated as originals for the purpose of admissibility in evidence.
- IV. After complying with the provisions of Florida Statutes, the Superintendent is authorized, at his/her discretion, to destroy general correspondence over three (3) years old and other records, papers, and documents over three (3) years old which are on the retention schedule approved by the Division of Archives, provided such records do not serve as an agreement or understanding or have value as permanent records. However, commodity records are to be maintained five (5) years.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

119.01, 257.37, 1001.43, 1001.52, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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SCHOOL CONSTRUCTION BIDS

8.27*

- I. All school construction bids shall be the immediate responsibility of the Superintendent or designee. All applicable Florida Statutes, State Board of Education rules, and School Board rules shall be observed in school construction bid procedures.
- II. The Superintendent or designee shall be responsible for preparing the legal notice for bids and shall determine that such notice meets the requirements of Florida Statutes and State Board of Education rules and contains the information needed by the prospective bidders to include the following
 - A. Date, time and place relating to submitting of bids;
 - B. Pre-qualifications of bidder;
 - C. Procedures for presenting bids;
 - D. Conditions and terms for receiving bids;
 - E. Procedures to be followed in opening and presenting bids to the School Board; and,
 - F. Conditions for awarding contracts based on bids.
- III. The advertisement for bids shall be published in at least one (1) local newspaper having circulation in the District. Such advertisement shall be published at least once each week for three (3) consecutive weeks and the last notice shall appear at least one (1) week prior to the opening of bids.
- IV. In addition to the publishing of the advertisement for bids, the bid documents shall be sent to at least three (3) prospective bidders. The advertisement or specifications shall not specify the use of materials or systems by a sole source.
- V. Bid bonds shall be required on new construction and any renovations or remodeling exceeding twenty-five thousand dollars (\$25,000.00).
- VI. These provisions shall be followed for construction bids
 - A. The bid time and date shall be established by the School Board after the Superintendent's recommendation.
 - B. Bids shall be opened at the designated time in the invitation to bid. At the designated time, the person presiding shall inquire if all bids have been

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received; no other bids shall be accepted and no bid may be withdrawn after the deadline. Negligence on the part of the bidder in preparing the bid shall confer no right for withdrawal after the designated time for opening of bids. Bids by telegram shall not be accepted nor shall any other type of bid be accepted which cannot be classified as a sealed bid. Bids received by mail shall be stamped with the time and date received by the purchasing office.

- C. All bids shall be opened, read aloud, and recorded in the presence of all persons.
 - D. Each bid shall be accompanied by a bid bond, a certified check, or a cashier's check in an amount equal to five percent (5%) of the total amount of the bid. Failure to include such bond shall automatically disqualify the bid from further consideration.
 - E. The Board will consider all bids received and within the time limit stated in the advertisement for bids will either reject all bids or award the contract to the lowest and best bid with preference to materials, contracts, builders, architects, and laborers who reside within the county and state, whenever such materials can be purchased at no greater expense.
 - F. When a construction contract has been awarded to a contractor on the basis of proper bids, payments on that contract shall be made on a scheduled basis in an amount approved by the architect. This amount shall consider the ten percent (10%) hold-back required by Florida Statutes. Upon completion of the construction, the final payment shall be made only on the School Board's approval after proper inspection of the facilities.
- VII. The specifications for construction bids may not be written to limit any purchase of systems or materials to a specific brand or a single source of supply, unless the School Board, after consideration of all available alternative materials and systems, determines that the specifications of a sole material or system is justifiable, based upon its cost interchangeability.
- VIII. All bid requests shall include a notification to bidders that failure to file a bid protest within the time and in the manner prescribed by School Board rule shall constitute a waiver of any further right to protest such bid award.

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STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 255.04, 287.055, 287.057,
1001.43, 1013.46 - .48, F.S.

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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PROTESTS OF CONSTRUCTION CONTRACT BIDS

8.271

- I. The School Board shall provide notice of its decision or intended decision concerning a bid solicitation or a contract award for construction projects as follows:
 - A. For a bid solicitation, notice of a decision or intended decision shall be given by United States mail or by hand delivery.
 - B. For any other School Board decision, notice of a decision or intended decision shall be given either by posting the bid tabulation at the location where the bids were opened or by certified United States mail, return receipt requested. The notice required by this paragraph shall contain the following statement: "Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."
- II. Any person who is affected adversely by the School Board's decision or intended decision shall file a notice of protest in writing with the Superintendent within seventy-two (72) hours after the posting of the bid tabulation or after receipt of the notice of the School Board decision or intended decision and shall file a formal written protest within ten (10) days after the date of filing of the notice of protest. Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Bid protest shall be accompanied by a bond as prescribed in 337.11(5)(a), Florida Statutes.
- III. Upon receipt of a notice of protest which has been timely filed, the School Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final agency action, unless the School Board sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay in order to avoid an immediate and serious danger to the public's health, safety, or welfare.
- IV. The School Board, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within seven (7) days of receipt of a formal written protest.
 - A. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to Section 120.57(2), Florida Statutes, and applicable agency

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rules before a person whose qualifications have been prescribed by rules of the agency.

- B. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there is a disputed issue of material fact, the agency shall refer the protest to the division for proceedings under Section 120.57(1), Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

120.53(5), 120.57(3), 337.11, 1001.43,
1013.02, 1013.46 - 1013.48, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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CHANGE ORDERS

8.28

The Superintendent is authorized to approve construction change orders which will not increase the contract amount more than two thousand dollars (\$2,000.00) over the original contract amount or the last contract amount (increase or decrease) approved by the School Board and recorded in its minutes.

- I. All requested change orders must be in writing and must be approved in writing before the work is done.
- II. Requested change orders concerning the same subject shall not be split in the event that the sum total of the initial requested change order increases the contract amount by more than two thousand dollars (\$2,000.00).
- III. Copies of all approved change orders shall be provided to the School Board at its first regular or special meeting following the approval date of the change order.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1013.48, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-2.0010

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS

8.29

Any group, including the parent-teacher organization, which desires to improve the school site, to add facilities, or to install equipment, shall submit a written proposal to the principal and Superintendent for School Board approval. Any such improvement or addition shall become the property of the School Board. Permanent structures shall have utilitarian value in the operation of the school or shall be erected in memory of some individual or group that has been associated with the school either as a student or School Board employee or an organization which has made some outstanding contribution to the school or District school system.

- I. Articles of equipment donated to schools by individuals, groups, or organizations may be accepted if they contribute to the operation of the school program. Donors shall be notified that the title of this gift be in the name of the School Board.
- II. All property, acquired, moved, or transferred which require alterations to the buildings or grounds for utilization of the facilities, shall be submitted to the Superintendent for School Board approval. The request shall include a description and method of financing the property. Any agreement in which District funds are to supplement installation shall require prior School Board approval. All installations, including air conditioners, shall be in compliance with the overall plan for the building and its maintenance.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.42, 1001.43, 1013.37,
1013.371, 1013.372, F.S.**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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RENOVATIONS OR REMODELING OF FACILITIES

8.30

- I. The Superintendent when recommending the preliminary school budget, or any amendments thereto relating to capital outlay projects may, after evaluation, recommend to the School Board that suitable projects costing two hundred thousand dollars (\$200,000.00) or less be provided on a day labor basis.
- II. Parent groups, school staff and civic associations often raise funds to make improvements to various School Board facilities. Such changes are regulated by building codes, Florida State Department of Education rules, School Board rules and Florida Statutes. In addition, these changes often have cost implications on maintenance, energy usage and inhibitions to future site construction. The change or addition always poses questions regarding Board liability for the facilities as any deviation from state regulations would be a factor in a damage suit, if the change in facility was related to a personal injury.
- III. When a project is being considered at any existing facility, the following procedures shall be followed:
 - A. A description of the proposed project, including an approximation of the expected cost, shall be submitted to the school principal for review.
 - B. Full funding for the design costs, construction and any other related costs must be identified.
 - C. If the principal is in agreement, he/she shall request approval from the Superintendent to submit the request for School Board approval.
 1. If the project requires funding from the District, the Director of Finance must be consulted to determine feasibility and availability of funds.
 2. Should a booster club, PTA, or other school affiliated group be supplying the funds, the principal and Superintendent must be informed.
 3. All projects must comply with State Board of Education rules and requirements contained in the State Publication, *State Requirements for Educational Facilities, 1994*.
 4. If the project will affect the student capacity of the school, approval of the School Board is required.

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- D. Prior to an installation or construction, a detailed design must be submitted to the facilities supervisor. The content of this request shall include a detailed project description and a statement regarding the method of funding. Plans and/or specifications will be reviewed by the facilities and maintenance departments.
1. Upon completion of the plans and specifications, such must be submitted for review for compliance with state requirements with consideration given to the impact upon the maintenance and energy usage of the facilities and inhibitions to future site construction. A minimum of ten (10) days is required and must be provided for review of plans and specifications, plus time to prepare an agenda item to present to the School Board if judged appropriate by the Superintendent.
 2. After approval by the School Board, plans may require submission to the Department of Education.
 3. Upon Department of Education approval, (if required), the project must either be formally advertised and bid, in accordance with state regulations or a minimum of three (3) sealed proposals must be obtained to ensure compliance with the Construction Documents. The bids must contain a work schedule to facilitate inspections by the reviewing department.
- Projects funded by booster clubs, PTA or other school affiliated groups, will also be handled by the respective group during the bid/proposal process. It is recommended proposals be sealed when submitted and opened at a designated time, in the presence of at least the school principal, the president of the parent group, a representative of the purchasing department, facilities department, or maintenance department, and the designing architect/engineer, if applicable.
- E. In the event the project cost is expected to exceed ten thousand dollars (\$10,000.00), a registered architect/registered professional engineer must be engaged to design, prepare, and seal the necessary construction documents. The project cost shall include all materials and labor, production design fees, reproductions, testing and surveys.
- F. All bids or proposals, including work schedules, must then be submitted to the facilities supervisor for review and determination of the low bidder's compliance with the project's contract documents. The project's

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originating group must make a recommendation regarding acceptance of the low bidder.

- G. When compliance has been established, PTA, booster club, or other school affiliated group will receive written authorization to proceed from the Superintendent.
- H. Depending on the scope of work involved, supplemental, periodic inspections may be made by the maintenance department as determined by the facilities supervisor.
- I. Upon completion of the work the facilities supervisor must be contacted for final inspection prior to acceptance of the School Board at one of its regularly scheduled meetings.
- J. After acceptance by the School Board, the Department of Education (DOE) must be contracted by the facilities supervisor to conduct an occupancy inspection (if the project required DOE approval) and issuance of a Certificate of Occupancy. At this time the project will be considered complete and the following departments will be notified by the facilities supervisor:
 - 1. Superintendent
 - 2. Department of Risk Management
 - 3. Maintenance Department

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

**235.30, 1001.43, 1013.01,
1013.35, 1013.45, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-2.0010

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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FACILITY FIRE SAFETY INSPECTION

8.31*

When an authorized agent under the Florida Fire Prevention Code conducts a fire safety inspection as authorized in Sections 633.081 and 633.085, Florida Statutes, and it is determined that a serious fire safety hazard exists which poses an immediate danger to the public health safety, or welfare, the authorized agent and Superintendent are permitted to issue a joint order to vacate the facility in question, which order shall be effective immediately. The Superintendent shall immediately notify the School Board members about such an order.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 125.66, CHAPTER 633, 1001.43, 1013.12, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-2.0010

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

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TOBACCO USE IN DISTRICT FACILITIES

8.32

All uses of tobacco products in any form are prohibited in any District-owned facility, vehicle used to transport students, or other areas designated for student use at any time.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

386.201 – 386.209, 1001.43, F.S.

HISTORY:

ADOPTED: _____

REVISION DATE(S): _____

FORMERLY:

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TELECOMMUNICATIONS PLAN, FIRN2 AND INTERNET USE

8.33+

- I. Telephone Service - In order to promote efficiency and economy, the Superintendent or designee shall develop a uniform system for implementing effective telephone service systems, including use of telephone lines to support technology. School personnel shall be informed of this system.

Logs shall be maintained of long distance calls. Logs shall be in a uniform format. Staff shall not utilize the School Board telephone system for conducting personal business.

Telephone service billings and long distance logs shall be subject to periodic review and audit. No person shall charge personal calls to the School Board.

- II. Internet Use - The Superintendent or designee shall develop procedures for employee and student use of FIRN2 and the internet.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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MANAGEMENT INFORMATION SYSTEM

8.34+

The District shall develop and maintain an integrated information system for educational management. The Superintendent or designee shall ensure that compatibility exists with the state comprehensive management information system. Procedures and guidelines shall be developed to ensure that adequate management information support needs are met.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.11, 1008.385, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0014

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

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NAMING OR RENAMING SCHOOLS AND SCHOOL FACILITIES	8.40+
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The School Board shall be responsible for naming or renaming all Board owned facilities.

I. Definition

The term *facility* shall include a building, library, media center, auditorium, performing arts center, gymnasium, athletic field, or other purpose designated area at a school or support services location owned and operated by the School Board of Lafayette County.

II. Facility Names

- A. A school or facility may be named after a person or persons, after a location, for an object such as a native plant or for a quality or attribute.
- B. Names should have broad acceptance in a multicultural society.
- C. If a facility is consolidated or demolished, the name may be reused.
- D. No corporate donors shall be able to purchase naming rights at any District facility.

III. Facility Names Committee

- A. The School Board shall establish a standing Facility Names Committee composed of representatives from the community, representatives of employee organizations, and students. The committee shall represent a cross-section of the community with ethnic diversity and gender representation. A member shall serve a three (3) year term. Ending dates of committee members shall be staggered.
- B. Representatives of the area in which the new or existing facility is located shall be appointed to serve on the committee during the period that the name of the particular facility is being selected.
- C. A chairperson shall be elected by the members of the standing committee.
- D. The committee shall consider all suggested names and submit a name to the Superintendent for School Board consideration.

- IV. The Superintendent shall establish procedures for naming or renaming facilities. Procedures shall include, but not be limited to, selection of the committee,

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selection of the site-specific representatives, submission of names for the facility, criteria for selection of facility names by the committee, and the approval process. The Superintendent shall submit the procedures to the Board for approval.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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CONSERVATION OF RESOURCES

8.50+

The School Board of Lafayette County is committed to the conservation of resources, both natural and material. Resources shall include, but not be limited to, electricity, energy, fuel oil, gasoline, natural gas, propane, and refuse. All conservation initiatives shall be consistent with Florida Statutes and *State Requirements for Educational Facilities*.

I. Resource Conservation Program

The Superintendent or designee shall develop a comprehensive resource conservation program which shall include short and long range plans to conserve resources, procedures to be observed by all staff members, an instructional program to be implemented at all grade levels, and a method of evaluating the conservation program.

II. Curriculum

Resource conservation shall be incorporated into the curriculum at all grade levels and appropriate subject areas. The curriculum shall address the economic, environmental, and social impact of resource conservation.

III. Facilities and Equipment

- A. New facilities shall be designed and constructed to be energy efficient. Renovations and additions to existing facilities shall include features to minimize energy consumption. Facilities shall be operated in a manner to keep energy use to a minimum.
- B. Life-cycle costs shall be determined prior to construction or renovation of buildings or replacement of major equipment.
- C. Equipment to reduce energy consumption and/or costs shall be utilized where economically feasible.

IV. Recycling Program

The District shall engage in a recycling program that shall include as many reusable materials as is practical and economically feasible.

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V. Incentives

- A. The District shall pursue incentive programs offered by utility companies and other energy providers.
- B. Cost savings shall be used to further resource conservation at school sites.
- C. An incentive program may be developed to reward schools for resource conservation when cost savings can be attributed to reduced resource consumption and/or energy savings at the particular schools.

VI. Staff Training

Training shall be provided for school and District staff. Training shall include methods of resource conservation at the worksite, curriculum components and instructional strategies.

VII. Effectiveness of Program

Prior and current consumption of energy and other resources shall be determined and used as a baseline for the assessment of curriculum, procedures, equipment, maintenance strategies and facilities design that are implemented in the resource conservation program. The effectiveness of the program shall be evaluated and modifications shall be made based on the analysis of cost savings and utilization of resources.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1013.23, 1013.44, F.S.

STATE BOARD OF EDUCATION RULE(S)

6A-2.0010

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

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PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS	9.01
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Each school principal is encouraged to cooperate with parent and school support groups in the District. The school principal shall be responsible for forming and assisting organizations which are desired and necessary for the school program; such organizations shall be kept active by the school principal for the duration of their need and encouraged to maintain accurate financial and activity records.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

PUBLIC INFORMATION

9.02

Because the schools belong to the people who created them by consent and who support them by taxation, it is the declared intent of the School Board:

- I. To keep the citizens adequately informed through appropriate channels of communication on policies, programs, problems, needs and the planning of the school system and to carry out this policy through its own efforts and the office of the Superintendent.
- II. To seek advice and opinion of the people of the School District.
- III. To require each school and the District staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens of the District and which would promote the welfare of the school system; provided, that any news release by a particular school be approved by the principal, and that any release relating to the District as a whole shall be approved by the Superintendent.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1001.51, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

USE OF FACILITIES

9.04*±

The principal may approve the use of school property, facilities, and equipment for any group provided herein. The use of school property, facilities and equipment shall not interfere with the educational program of the school. The principal shall be responsible for safeguarding the school property, facilities, and equipment, enforcing and informing groups of School Board rules, administrative guidelines, executing proper forms, and collecting payments.

- I. Payment of Required Fees ± Full reimbursement for custodial, supervisory, and other required services or for damages to the facility, furnishings, or equipment shall be paid within ten (10) days of billing. Checks shall be made payable to the Lafayette County School Board.
- II. Liability and Insurance Coverage ± Each organization utilizing school facilities shall
 - A. Agree to hold the School Board harmless from any liability which the School Board may accrue as a result of use;
 - B. Provide general liability insurance coverage in the amount of at least one million dollars (\$1,000,000.00) naming the School Board as an additional insured; and,
 - C. Execute a form of indemnity agreement as prescribed by the Superintendent.
- III. Prohibited Uses of School Facilities ± School property, facilities, and equipment shall not be used for the following purposes
 - A. Commercial or personal gain;
 - B. Programs involving any form of gambling or other illegal activity;
 - C. Private teaching for personal gain, unless specifically approved in advance by the School Board;
 - D. Programs in violation of Florida Statutes or School Board rules; and,
 - E. Use by political groups for fund-raising activities and rallies.

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- IV. Special Provisions - The following special provisions shall apply
- A. Restrooms shall be made available if practicable for all organizations using the school facilities.
 - B. Any school or community event sponsor or vendor who uses school facilities shall notify the local public health unit not less than three (3) days prior to a scheduled school carnival, fair, or other celebration involving the sale or preparation of food or beverages.
- V. Appeals to the Superintendent - A person who feels his/her organization was improperly denied use of school facilities or an improper charge or fee was assessed may file a written appeal with the Superintendent for resolution.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**106.15, 509.032, 509.232, 1001.33,
1001.43, 1001.51, 1013.10, F.S.**

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

ADVERTISING IN SCHOOLS

9.05

School facilities shall not be used for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency or individual organization; nor shall School Board employees or students be employed in such a manner. Advertising on school buses shall be prohibited. The following are exceptions:

- I. School officials, with the Superintendent's approval, may cooperate with any governmental agency in promoting activities in the general public's interest or may cooperate in furthering the work of any non-profit community-wide social service agency; provided, that such cooperation does not restrict or interfere with the educational program of the school and is non-partisan and non-controversial.
- II. A school may use film or other educational materials which contain advertising. The film or material shall be carefully evaluated by the school principal for classroom use to determine whether the film or material contains undesirable propaganda.
- III. The Superintendent may announce or authorize to be announced any lecture or community activity of particular educational merit.
- IV. Demonstrations of educational materials and equipment shall be permitted with the principal's approval.
- V. Secondary schools may utilize the inside fence of football and baseball fields for commercial advertising to support school programs. The principal shall maintain approval rights on the content and form of such advertising. Money collected from these commercial advertisements shall be deposited into the proper internal account.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: _____

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

VISITORS

9.07

The Lafayette District Schools always strives to promote a safe environment conducive to learning. Toward that end, the following policies have been established:

- I. Each visitor must sign in and be issued a visitor's badge upon arrival at the school. The badge must be visible and returned at the conclusion of the visit.
- II. A student not enrolled in the school or a student not accompanied by a parent, as defined by Florida Statutes, is prohibited from visiting a school unless approved by the principal.
- III. Conferences by parents with classroom teachers must be scheduled at least one (1) day in advance. The topic of the conference must be disclosed at that time. The conference shall be scheduled with the teacher during his/her planning period, after school or through the principal's office. At the principal's discretion, the conference may be restricted to the principal's office.
- IV. Observations by parents in classrooms must be requested and scheduled one (1) day in advance. The rationale for the observation must be disclosed at that time. The observation appointment shall be made through the principal's office. During the observation, there shall be no interaction with students or the teacher. No recording devices will be allowed. If issues need to be addressed with the classroom teacher, a conference must be scheduled in accordance with III.
- V. Teachers may receive calls from parents during their planning periods or after school. The office at the school can take messages and advise regarding teacher schedules. Issues should be addressed with teachers during school hours.
- VI. Volunteer applications must be completed and approved by the Parent Liaison and/or Principal. Volunteer activities shall be coordinated with the Parent Liaison at Lafayette Elementary School and the Principal at Lafayette High School.
- VII. Loitering in and around the school premises is prohibited.
- VIII. Unauthorized persons shall not be allowed to interrogate or question a student of the District during the school day without consent of the student's parent(s) or in their presence, or upon the immediate authorization of the principal. Instructional, administrative, and supervisory personnel shall not be classified as an unauthorized person.
- IX. This policy does not apply to routine deliveries or scheduled maintenance visits.

**CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL
AGREEMENTS**

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1006.07, 1006.145, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

RELATIONS WITH GOVERNMENTAL AUTHORITIES

9.08

- I. When possible, the Board will cooperate with local, state and federal organizations or agencies; however, such cooperation shall not be at the expense of district-level or local school programs.
- II. The Superintendent may initiate or accept proposals and requests for cooperative endeavors; major final action shall be subject to Board review and approval.
- III. Community relations of a continuing nature may be temporarily approved by the Superintendent if they involve no cost to the system and will neither disrupt the school system nor involve substantial use of facilities or personnel.
- IV. Formal agreements shall require advance Board approval. The Board shall also review and approve major cooperative agreements or arrangements between other school districts, colleges, universities, correctional schools or other educational organizations.
- V. Guidelines related to joint activities and requests for cooperation shall address costs which may be incurred, the extent of school personnel involvement, and prior agreements or arrangements with the same or similar organizations.
- VI. Long range facilities planning shall be coordinated with other governmental agencies as required by law.

STATUTORY AUTHORITY:

1001.41, F.S.

LAW(S) IMPLEMENTED:

1001.51, 1013.33, 1013.36, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

**CHAPTER 9:00 - SCHOOL-COMMUNITY RELATIONS AND
INTERLOCAL AGREEMENTS**

EDUCATION FOUNDATION

9.09

The Lafayette County School Board authorizes the District to establish a foundation fund in the name of Lafayette County Education Foundation subject to the provisions of Florida Statutes.

- I. The Board of Directors of the Lafayette County Education Foundation shall be approved by the School Board.
- II. The Board of Directors is allowed to use the property, facilities, and personnel services of the District; however, such use must be in keeping with the District's policies regarding the use of facilities and grounds.
- III. The School Board shall oversee the activities of the organization and shall provide for budget and audit review.
- IV. Such organization must be organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to, or for the benefit of, programs of the Lafayette County School District.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1001.453, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0013

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:

CHAPTER 9.00: SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

SCHOOL CONCURRENCY

9.20+

The School Board shall adopt and maintain a school concurrency system in conjunction with the county and local municipalities. The role of public school concurrency is to ensure that the capacity of schools is adequate to support growth and development at the adopted levels of service. Concurrency provides coordination of the planning and building of new schools with land development.

I. Interlocal Agreement

The School Board shall enter into an interlocal agreement with Lafayette County and the municipalities within the county for school facility planning. The interlocal agreement shall establish specific ways in which School Board and local government plans and processes are coordinated. The agreement shall include but not be limited to the following:

- A. Coordinated procedures for implementing school concurrency;
- B. A public schools facilities element;
- C. Level of service standards to be applied consistently to all schools of the same type by the School Board and local governments with the exception of interim standards that may be adopted for specific schools;
- D. School concurrency service areas that utilize available school capacity and make efficient use of new and existing public schools consistent with the level of service standards;
- E. A process for the development of siting criteria for the location of public schools;
- F. The requirement that the public school capital facilities program meets the financial feasibility requirements of law and rule.
- G. A process for determining proportionate-share mitigation to offset the impact of proposed development that would cause the level of service standards to be exceeded;
- H. Provision for monitoring and evaluating the school concurrency system; and
- I. Provision for amending the agreement.

CHAPTER 9.00: SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

- II. Application for School Concurrency Determination
 - A. The District shall establish procedures for a developer to submit an application for school concurrency determination. The impact of the residential development on the school system shall be evaluated.
 - B. The application shall be forwarded to the local government to determine if the proposed project is appropriate in relation to the local government's comprehensive plan and land development regulations.
- III. Concurrency Review Fees
 - A. The School Board shall establish fees to offset the cost of reviewing the impact of proposed residential developments for school concurrency. The nonrefundable fee shall be paid to the School Board of Lafayette County, Florida.
 - B. The School Board shall establish a fee for negotiation and determination of proportionate-share mitigation.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1013.33, 1013.35, 163.3164, 163.3180,
163.3177, 163.31777, F.S.**

DEPARTMENT OF COMMUNITY AFFAIRS RULE(S)

9J-5.003, 9J-5.025

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

LAFAYETTE COUNTY SCHOOL BOARD POLICY MANUAL

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